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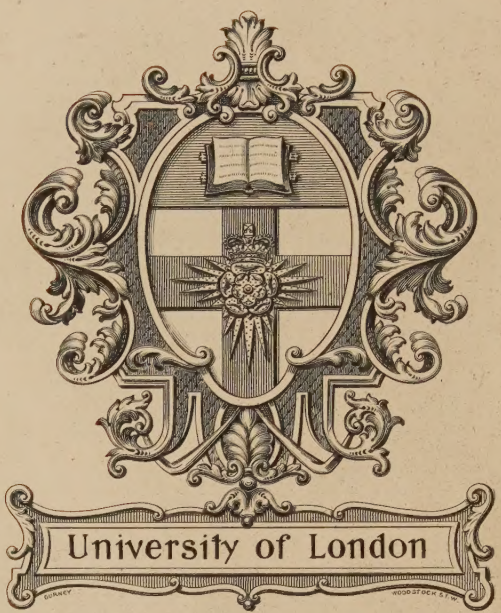

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THE

PARLIAMENTARY DEBATES

(AUTHORISED EDITION),

FOURTH SERIES.

SEVENTH SESSION OF THE TWENTY-SIXTH PARLIAMENT

OF THE

UNITED KINGDOM OF GREAT BRITAIN AND IRELAND.

63 & 64 VICTORIÆ.

VOLUME LXXXV.

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CHRONOLOGY OF "THE PARLIAMENTARY DEBATES."

THE PARLIAMENTARY HISTORY contains all that can be collected of the Legislative History of this country from the Conquest to the close of the XVIIIth Century (1803), 36 vols. The chief sources whence these Debates are derived are the Constitutional History, 24 vols.; Sir Simonds D'Ewes' Journal; Debates of the Commons in 1620 and 1621; Chandler and Timberland's Debates, 22 vols.; Grey's Debates of the Commons, from 1667 to 1694, 10 vols.; Almon's Debates, 24 vols.; Debrett's Debates, 63 vols.; The Hardwicke Papers; Debates in Parliament by Dr. Johnson, &c., &c.

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NEW BILL.

Members of Local Authorities Relief Bill [H.L.].—A Bill to relieve members of county councils and others from disqualification—was presented by the Duke of Northumberland ; read 1ª ; and to be printed. (No. 144.). 5

Ecclesiastical Assessments (Scotland) Bill—[SECOND READING]—Order of the day for the Second Reading read. Moved, "That the Bill be now read a second time."—(*Lord Balfour of Burleigh.*)

Lord Tweedmouth 7

On question, agreed to. Bill read 2ª accordingly ; and committed to a Committee of the whole House Thursday next.

Commonwealth of Australia Constitution Bill—[SECOND READING]—Order of the Day for the Second Reading read.

Moved, "That the Bill now be read a second time."—(*The Earl of Selborne*).

DISCUSSION :—

The Earl of Carrington ... 17 | *The Earl of Kimberley* 35
The Lord Chancellor (The Earl of Halsbury) ... 24 | *Lord James of Hereford* ... 40
Lord Davey ... ... 26 | *Lord Russell of Killowen* ... 45
The Earl of Jersey... ... 33 | *Viscount Knutsford* 48
| *Lord Brassey* 49

On Question, agreed to. Bill read 2ª accordingly, and committed to a Committee of the whole House on Tuesday next.

Mines (Prohibition of Child Labour Underground) Bill—Amendments reported (according to Order).

Lord Belper ... ... 50 | *Earl Grey* 50

Amendments made ; Bill to be read 3ª on Monday next.

Burial Grounds Bill—House in Committee (according to Order). Bill reported without amendment ; and re-committed to the Standing Committee 50

Prevention of Corruption Bill [H.L.]—VOLUNTEERS BILL [H.L.]—Amendments reported (according to Order), and Bills to be read 3ª on Monday next 50

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Colonial Solicitors Bill—House in Committee (according to Order). Bill reported without amendment; Standing Committee negatived; and Bill to be read 3ª on Monday next 50

Military Lands Bill [H.L.]—[THIRD READING]—Bill read 3ª (according to Order).

Amendment moved—

"In Clause 3, page 2, line 5, to leave out from 'and the' to the end of the clause, and insert 'and for the purpose of carrying such resolution into effect the provisions contained in the schedule hereto shall apply as they were enacted in the body of this Act.'"—(*The Lord Thring.*)

DISCUSSION:—

The Earl of Portsmouth ... 52 *The Secretary of State for War* (*The Marquess of Lansdowne*) 53
Lord Thring 53

On Question, whether to agree to the said Amendment, their Lordships divided:—Contents, 2; Not-Contents, 11.

It appearing that thirty Lords were not present, the Lord Chancellor declared the question not decided. Further debate on the said Amendment adjourned to Monday next.

Town Councils (Scotland) Bill—Brought from the Commons; read 1ª; and to be printed. [No. 145] 56

House adjourned at ten minutes before Eight of the clock.

COMMONS: FRIDAY, 29TH JUNE, 1900.

PRIVATE BILL BUSINESS.

PROVISIONAL ORDER BILLS [LORDS] (STANDING ORDERS APPLICABLE THERETO COMPLIED WITH)—Mr. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bill, originating in the Lords, and referred on the first Reading thereof, the Standing Orders which are applicable thereto have been complied with, viz.:—Gas Orders Confirmation (No. 2) Bill [Lords]. Ordered, That the Bill be read a second time upon Monday next... ... 57

Hoylake and West Kirby Improvement Bill; Wakefield Corporation Market Bill—Lords Amendments considered, and agreed to 57

Bray Urban District Council Bill—Read the third time, and passed ... 57

Neath Harbour Bill [Lords]—Queen's consent signified; read the third time, and passed, without amendment 57

Taff Vale Railway Bill [Lords]—Read the third time, and passed, without amendment 57

Bray and Enniskerry Railway Bill—As amended, considered. Ordered, That Standing Orders 223 and 243 be suspended, and that the Bill be now read the third time.—(*Mr. Caldwell.*) Bill accordingly read the third time, and passed 57

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London County Council (Money) Bill—As amended, considered. Ordered, That Standing Orders 223 and 243 be suspended, and that the Bill be now read the third time.—(*Mr. Caldwell.*) Bill accordingly read the third time, and passed 57

Tottenham Urban District Council Bill—As amended, considered. Ordered, that Standing Orders 223 and 243 be suspended, and that the Bill be now read the third time.—(*Mr. Caldwell.*) Bill accordingly read the third time, and passed 58

Wirral Railway Bill [Lords]—As amended, considered; to be read the third time 58

Margate Corporation Bill [Lords] (by Order)—Read a second time, and committed 58

Electric Lighting Provisional Orders (No 10) Bill—Read the third time and passed 58

Electric Lighting Provisional Orders (No. 9) Bill; Local Government Provisional Orders (No. 7) Bill—As amended, considered; to be read the third time upon Monday next 58

Perth and Paisley Gas Provisional Orders Bill—Reported, without amendment [Provisional Orders confirmed]; Report to lie upon the Table. Bill to be read the third time upon Monday next 58

Local Government Provisional Orders (No. 9) Bill—Reported, without amendment [Provisional Orders confirmed]; Report to lie upon the Table. Bill to be read the third time upon Monday next 58

Local Government Provisional Orders (No. 13) Bill—Reported, without amendment [Provisional Orders confirmed]; Report to lie upon the Table. Bill to be read the third time upon Monday next 58

Local Government Provisional Orders (No. 15) Bill—Reported, with Amendments [Provisional Orders Confirmed]; Report to lie upon the Table. Bill, as amended, to be considered upon Monday next 59

Local Government (Ireland) Provisional Orders (No. 3) Bill—Reported, with Amendments [Provisional Orders confirmed]; Report to lie upon the Table. Bill, as amended, to be considered upon Monday next ... 59

Local Government (Ireland) Provisional Orders (No. 4) Bill—Reported, with Amendments [Provisional Orders confirmed]; Report to lie upon the Table. Bill, as amended, to be considered upon Monday next... 59

Local Government (Ireland) Provisional Orders (Housing of Working Classes (No. 2) Bill—Reported, with Amendments [Provisional Orders confirmed]; Report to lie upon the Table. Bill, as amended, to be considered upon Monday next 59

Education Board Provisional Orders Confirmation (Brighton and Preston United District, Etc.) Bill [Lords]—Reported, without amendment [Provisional Orders confirmed]; Report to lie upon the Table. Bill to be read the third time upon Monday next 59

Newcastle-upon-Tyne Electric Supply Bill; Burnley Corporation Bill [Lords]; Great Southern and Western Railway Bill [Lords]; Reported, with Amendments; Reports to lie upon the Table, and to be printed ... 59

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Great Indian Peninsula Railway Company Bill—The CHAIRMAN OF WAYS AND MEANS, in pursuance of Standing Order 83 relating to Private Bills, informed the House that in his opinion the Great Indian Peninsula Railway Company Bill, though unopposed, ought to be treated as an opposed Private Bill 60

MESSAGE FROM THE LORDS—That they have agreed to—Local Government (Ireland) Provisional Orders (No. 2) Bill, changed to Local Government (Ireland) Provisional Order (No. 2) Bill; Local Government Provisional Orders (No. 2) Bill; Hamilton Burgh Bill, with Amendments.

That they have agreed to Amendments to—Mersey Docks and Harbour Board Bill [Lords]; Paignton Urban District Water Bill [Lords], without amendment.

That they have agreed to—Mountain Ash Water Bill [Lords], with Amendments.

That they have passed a Bill intituled, "An Act to confer further powers on the Caledonian Railway Company in relation to their undertaking, to authorise the Lochearnhead St. Fillans and Comrie Railway Company to construct certain works in connection with their Railway, to extend the periods for the purchase of lands for or for the completion of works by the before-mentioned companies and the Callander and Oban Railway Company; and for other purposes." Caledonian Railway Bill [Lords].

Also a Bill intituled, "An Act to reduce the capital and extend the powers of the London and San Francisco Bank, Limited; and for other purposes." London and San Francisco Bank Bill [Lords].

Also a Bill intituled, "An Act for reorganising the capital of the G. H. Hammond Company, Limited, and enabling that company to redeem and convert its debentures and income stock." Hammond (G. H.) Company Bill [Lords] 60

Caledonian Railway Bill [Lords]; London and San Francisco Bank Bill [Lords]; Hammond (G. H.) Company Bill [Lords]. Read first time; and referred to the Examiners of Petitions for Private Bills 60

PETITIONS.

Education (Scotland) Bill—Petition from Dunbar, against; to lie upon the Table. Petition of the General Assembly of the Church of Scotland, in favour; to lie upon the Table 61

Land Values Taxation (Scotland) Bill—Petition from Glasgow, in favour; to lie upon the Table 61

Lunacy Bill—Petition from Tadcaster, for alteration; to lie upon the Table 61

Sale of Intoxicating Liquors on Sunday Bill—Petitions in favour, from Whaplode St. Catherine's; Ringwood; Romsey; Gringley: Beckingham; and Walkeringham; to lie upon the Table 61

Sale of Intoxicating Liquors to Children (No. 2) Bill—Petition from Retford, against; to lie upon the Table. Petitions in favour, from Chellaston; Weardale; Golborne (two); Lowton; Worksop; Whaplode St. Catherine's; Otley; Caxton; Blean; Wheatley; Beckingham; Fochriw; Ealing; Hamilton; St. Neots; Lymington (two); Romsey (two); Gringley; Ringwood; Daventry; Walkeringham; Liverpool; Blisworth; Tiffield; Wigan; Malton; Craster; Tadcaster; Frome; and Dennington; to lie upon the Table 61

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Sale of Intoxicating Liquors to Children (No. 2) Bill and Sunday Closing (Monmouthshire) Bill—Petition from Birmingham, in favour; to lie upon the Table 61

Sale of Intoxicating Liquors to Children (Scotland) Bill—Petitions in favour, from West Calder; Glenbucket; and Torthorwald; to lie upon the Table 61

Sunday Closing (Monmouthshire) Bill—Petitions in favour, from Lowton; Golborne (two); Wimborne; Whaplode St. Catherine's; Thrupp; Sturton; Kingston-upon-Hull; Daventry; Blisworth; Eccleshill (two); Gelligaer; Ealing; Hamilton; Ringwood; Tiffield; Wigan (two); Brynmawr; Romsey; Motherwell; Dunnington; Clifton; Craster; Leeds; and Stockport; to lie upon the Table 62

Sunday Closing (Wales) Act (1881) Amendment Bill—Petition from Gelligaer, in favour; to lie upon the Table 62

RETURNS, REPORTS, ETC.

FINANCE ACCOUNTS—Copy presented, of Finance Accounts of the United Kingdom for the year ended 31st March, 1900 [by Act]; to lie upon the Table, and to be printed. [No. 241] 62

LIGHT RAILWAYS ACT, 1896—Copy presented, of Order made by the Light Railway Commissioners, and modified and confirmed by the Board of Trade, authorising the construction of a Light Railway in the County of Sussex from Bexhill to St. Leonards (Bexhill and St. Leonards Light Railway Order, 1900) [by Command]; to lie upon the Table.

Copy presented, of Order made by the Light Railway Commissioners, and confirmed by the Board of Trade, authorising the construction of a Light Railway in the county of Gloucester (Cheltenham and District Light Railway (Extension) Order, 1900) [by Command]; to lie upon the Table.

Copy presented, of Order made by the Light Railway Commissioners, and confirmed by the Board of Trade, authorising the construction of a Light Railway in the county of East Sussex, from Robertsbridge to Pevensey (Robertsbridge and Pevensey Light Railway Order, 1900) [by Command]; to lie upon the Table.

Copy presented, of Order made by the Light Railway Commissioners, and modified and confirmed by the Board of Trade, authorising the construction of a Light Railway in the county of Gloucester, from Cheltenham to Cleeve Hill (Cheltenham and District Light Railway Order, 1900) [by Command]; to lie upon the Table 62

WOODS, FORESTS, AND LAND REVENUES—Copy presented, of Seventy-eighth Report of the Commissioners, dated 29th June, 1900 [by Act]; to lie upon the Table, and to be printed. [No. 242] 63

ISLE OF MAN—Account presented, of Revenue and Expenditure for the year ended 31st March, 1900, with the Report of the Comptroller and Auditor General thereon [by Act]; to lie upon the Table, and to be printed. [No. 243] 63

PAPER LAID UPON THE TABLE BY THE CLERK OF THE HOUSE—Medway Conservancy—Copy of Statement of Receipts and Expenditure of the Conservators for the year ending 25th March, 1900 [by Act] 63

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EAST INDIA (INOCULATION AGAINST CHOLERA AND TYPHOID)—Address for "Return of Correspondence relating to preventive inoculation against Cholera and Typhoid in India."—(*Sir Charles Cameron*) 63

PROSECUTION OF OFFENCES ACTS, 1879 AND 1884—Address for "Return showing the working of the Regulations made in 1886 for carrying out the Prosecution of Offences Acts, 1879 and 1884, with Statistics setting forth the number, nature, cost, and results of the Proceedings instituted by the Director in accordance with those Regulations from the 1st day of January, 1899, to the 31st day of December, 1899 (in continuation of Parliamentary Paper, No. 238, of Session 1899)."—(*Mr. Jesse Collings*) ... 63

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SOUTH AFRICAN WAR—RESUMPTION OF INDUSTRIAL OPERATIONS IN THE TRANSVAAL—Question, Mr. Swift MacNeill (Donegal, S.); Answer, The Secretary of State for the Colonies (Mr. J. Chamberlain, Birmingham, W.) 64

HOSPITAL AND MEDICAL ARRANGEMENTS—Questions, Mr. Faber (York), Col. Pilkington (Southport), and Sir Howard Vincent (Sheffield, Central); Answers, The Under Secretary of State for War (Mr. Wyndham, Dover) 66

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RELEASED BRITISH PRISONERS—Question, Mr. Swift MacNeill; Answer, Mr. Wyndham 69

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NETLEY HOSPITAL—COCOA FOR PATIENTS—Question, Major Rasch; Answer, Mr. Wyndham 71

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ALDERSHOT MANŒUVRES—HEAT CASUALTIES—Question, Mr. Swift MacNeill; Answer, Mr. Wyndham 72

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CORK AND WATERFORD TELEPHONE SERVICE—Question, Mr. Maurice Healy (Cork); Answer, Mr. Hanbury 80

LOCAL TAXATION COMMISSION—SITTINGS IN IRELAND—Question, Mr. Carew (Dublin, College Green); Answer, The Chief Secretary for Ireland (Mr. G. W. Balfour Leeds, Central) 81

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PRIVATE MEMBERS' BILLS AND STANDING COMMITTEES—Question, Mr. Channing (Northamptonshire, E.); Answer, Mr. A. J. Balfour 86

PUBLIC BUSINESS.

County and Borough Franchise Assimilation (London) Bill—Reported from the Standing Committee on Law, etc., with Amendments. Report to lie upon the Table, and to be printed. [No. 244.] Minutes of the Proceedings of the Standing Committee to be printed. [No. 244.] Bill, as amended (in the Standing Committee), to be considered upon Monday next, and to be printed. [Bill 272]... 87

Executors (Scotland) Bill—Reported from the Standing Committee on Law, etc., with Amendments. Report to lie upon the Table, and to be printed. [No. 245.] Minutes of the Proceedings of the Standing Committee to be printed. [No. 245.] Bill, as amended (in the Standing Committee), to be considered upon Monday next, and to be printed. [Bill 273]... ... 87

SELECTION (STANDING COMMITTEES)—Mr. HALSEY reported from the Committee of Selection, That they had discharged the following Members from the Standing Committee on Trade (including Agriculture and Fishing), Shipping, and Manufactures:—Mr. Victor Cavendish, Captain Bethell, Colonel Milward, Mr. Abel Smith, Mr. A. K. Loyd, Mr. Monckton, Sir Charles Welby, Mr. Grant Lawson, General Russell, Mr. Hedderwick, Sir Herbert Maxwell, and Mr. Round; and had appointed in substitution: Mr. Chancellor of the Exchequer, Mr. Cohen, Sir Reginald Hanson, Mr. Wolff, Mr. T. W. Russell, Mr. Kemp, Sir Charles Dalrymple, Mr. Ritchie, Sir Edward Hill, Mr. Tennant, Sir Elliott Lees, and Mr. Brodie Hoare.

Mr. HALSEY further reported from the Committee, That they had added to the Standing Committee on Trade (including Agriculture and Fishing), Shipping, and Manufactures, the following fifteen Members in respect of the Companies Bill:—Mr. Bainbridge, Mr. Banbury, Mr. Bond, Mr. Bryce, Mr. Crombie, Mr. Alexander Cross, Mr. Gedge, Mr. Holland, Mr. Marks, Mr. Martin, Mr. Molloy, Mr. Compton Rickett, Mr. Solicitor General, Mr. Lawson Walton, and Mr. Warr.

Mr. HALSEY further reported from the Committee, That they had discharged the following Member from the Standing Committee on Law and Courts of Justice, and Legal Procedure:—Mr. Brigg (added in respect of the Sunday Closing (Wales) Act (1881) Amendment Bill); and had appointed in substitution: Sir Angus Holden.

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Mr. HALSEY further reported from the Committee, That they had added to the Standing Committee on Law and Courts of Justice, and Legal Procedure, the following fifteen Members in respect of the Elementary Education Bill:—Mr. Attorney General, Mr. Broadhurst, Mr. Evelyn Cecil, Mr. Channing, Mr. Drage, Mr. Flower, Mr. Goddard, Sir John Gorst, Mr. Gray, Mr. Alfred Hutton, Mr. Herbert Lewis, Mr. Middlemore, Mr. James Stuart, Mr. Talbot, and Mr. Yoxall. Report to lie upon the Table 87

SELECTION (JOINT COMMITTEES)—Mr. HALSEY reported from the Committee of Selection, That they had discharged the following Member from the Joint Committee of Lords and Commons on Municipal Trading:—Mr. John Wilson (Govan); and had appointed in substitution: Sir William Dunn. Report to lie upon the Table 88

MESSAGE FROM THE LORDS—That they have agreed to the County Council (Elections) Act (1891) Amendment Bill, without amendment 89

SUPPLY [16TH ALLOTTED DAY]—Considered in Committee.

[Mr. J. W. LOWTHER (Cumberland, Penrith,) in the Chair.]

ARMY (SUPPLEMENTARY) ESTIMATE, 1900–1901—£5, Supplementary, Medical Establishment, Pay, etc.

DISCUSSION:—

The Under Secretary of State for War (Mr. Wyndham, Dover) 89
Mr. Burdett-Coutts (Westminster) 104
Sir Walter Foster (Derbyshire, Ilkeston) 126
Sir Howard Vincent (Sheffield, Central) 132
Sir Charles Dilke (Gloucestershire, Forest of Dean) ... 138
Colonel Kenyon-Slaney (Shropshire, Newport) 141
Dr. Farquharson (Aberdeenshire, W.) 144
Mr. Bartley (Islington, N.) ... 148
Sir Charles Cameron (Glasgow, Bridgeton) 150
General Russell (Cheltenham) ... 154
Mr. C. H. Wilson (Hull, W.) ... 157
Mr. Gibson Bowles (Lynn Regis) 158
Mr. Lloyd-George (Carnarvon) ... 163
The First Lord of the Treasury (Mr. A. J. Balfour, Manchester, E.) 168
Sir H. Campbell-Bannerman (Stirling Burghs) 177
Mr. Labouchere (Northampton) ... 182

Resolution agreed to; to be reported upon Monday next. Committee also report Progress; to sit again upon Monday next.

Motion made, and Question, "That this House do now adjourn"—(*Mr. Balfour*)—put, and agreed to.

Adjourned at five minutes before Twelve of the clock.

LORDS: MONDAY, 2ND JULY, 1900.

PRIVATE BILL BUSINESS.

The LORD CHANCELLOR acquainted the House that the Clerk of the Parliaments had laid upon the Table the Certificates from the Examiners that the further Standing Orders applicable to the following Bills have been complied with:—Rochdale Corporation, Oldham Corporation. Also the Certificate that the Standing Orders applicable to the following Bill have been complied with:—Pier and Harbour Provisional Orders (No. 2).

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And also the Certificate that the further Standing Orders applicable to the following Bill have not been complied with:—West Ham Corporation. The same were ordered to lie on the Table 185

West Ham Corporation Bill—Examiner's certificate of non-compliance with the Standing Orders referred to the Standing Orders Committee To-morrow 185

Wolverhampton, Essington, and Cannock Chase Junction Railway Bill—Report from the Select Committee, That it is not expedient to proceed with the Bill; read, and ordered to lie on the Table 185

Belfast and County Down Railway Bill—Committed 185

Great Northern Railway (Ireland) Bill—Committed. The Committee to be proposed by the Committee of Selection... 185

Local Government Provisional Orders (No. 6) Bill; Local Government Provisional Orders (No. 8) Bill; Local Government Provisional Orders (Poor Law) Bill; Gas Provisional Order (No. 3) Bill; Pier and Harbour Provisional Orders (No. 1) Bill—Committed to a Committee of the whole House 185

Midland Railway Bill—Report from the Select Committee, That the Committee had not proceeded with the consideration of the Bill, the opposition thereto having been withdrawn; read, and ordered to lie on the Table. The Orders made on the 17th and 25th of May last discharged; and Bill committed 186

Bedford Gas Bill—Read 3ª, and passed 186

Bexhill and Rotherfield Railway Bill [H.L.]; Hartlepool Gas and Water Bill; City of London Electric Lighting Bill; Woodbridge District Water Bill; Lancashire and Yorkshire Railway Bill—Read 3ª, with the Amendments, and passed, and returned to the Commons 186

Vale of Rheidol Light Railway Bill—Read 3ª, with the Amendment, and passed, and returned to the Commons 186

South Metropolitan Gas Bill—Standing Order No. 93 considered (according to Order), and dispensed with, with respect to a Petition of the Strand District Board of Works. Leave given to present the said Petition ... 186

Bray Urban District Council Bill—Brought from the Commons; read 1ª; and referred to the Examiners 186

Neath Harbour Bill [H.L.]; Taff Vale Railway Bill [H.L.]—Returned from the Commons agreed to 186

Hoylake and West Kirby Improvement Bill; Wakefield Corporation Market Bill—Returned from the Commons with the Amendments agreed to 186

Aberdeen Police and Improvement Bill; London and South Western Railway Bill; South Eastern Metropolitan Tramways Bill; Bradford Corporation Bill; Ilfracombe Improvement Bill; Charing Cross and Strand Electricity Supply Bill; City of London (Various Powers) Bill; Baker Street and Waterloo Railway Bill; London United Tramways Bill—Report from the Committee of Selection, That the following Lords

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be proposed to the House to form the Select Committee for the consideration of the said Bills, viz :—E. Abingdon ; E. Rosse (Chairman) ; L. Sherborne ; L. Calthorpe ; L. Clonbrock ; agreed to ; and the said Lords appointed accordingly. The Committee to meet on Thursday next, at Eleven o'clock, and all Petitions referred to the Committee, with leave to the Petitioners praying to be heard by counsel against the Bills to be heard as desired, as also counsel for the Bills 186

Tramways Orders Confirmation (No. 2) Bill [H.L.]—House in Committee (according to Order). Amendments made. Standing Committee negatived. The Report of Amendments to be received To morrow 187

Gas and Water Orders Confirmation Bill [H.L.]—Commons amendment considered (according to Order) and agreed to 187

Electric Lighting Provisional Orders (No. 10) Bill—Brought from the Commons ; Read 1ª ; to be printed ; and referred to the examiners. (No. 151) 187

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ARMY—Return respecting (laid before the House on Friday last), to be printed. (No. 149) 187

INDUSTRIAL TRAINING OF GIRLS—Report to the Local Government Board on the industrial training of girls in the separate and district schools in the Metropolitan District, by Miss Ina Stansfeld, assistant inspector... ... 188

IRISH LAND COMMISSION (JUDICIAL RENTS)—Return for the month of November, 1899 188

CONGESTED DISTRICTS BOARD (IRELAND)—Report of the Board for the year to 31st March, 1900. Presented (by Command), and ordered to lie on the Table 188

RATEABLE PROPERTY (ENGLAND AND WALES)—Return respecting. Laid before the House (pursuant to Order of 3rd August last), and to be printed. (No. 150) 188

Militia Ballot Bill (H.L.)—[SECOND READING]—Order of the Day for the Second Reading read.

Moved, "That the Bill be now read a second time."—(*The Earl of Wemyss.*)

DISCUSSION :—

Earl Cowper ... ... 196 *The Secretary of State for War (The Marquess of Lansdowne)*... 201
Lrod Newton ... ... 198 *The Earl of Wemyss* ... ...

The previous Question was put, whether the original Question be now put.

Their Lordships divided ; Contents, 31 ; Non-Contents, 90.

Beer Retailers' and Spirit Grocers' Licences (Ireland) (No. 2) Bill—[SECOND READING]—Order of the day for the Second Reading read.

Moved, That the Bill be now read a second time.—(*The Earl of Erne.*)

The Earl of Denbigh 212

On Question, agreed to ; Bill read 2ª accordingly, and committed to a Committee of the whole House on Thursday next.

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Diocesan Registration Bill [H.L.]—[SECOND READING]—Order of the Day for the Second Reading read

The Lord Archbishop of Canterbury 213

Read 2ª (according to Order), and committed to a Committee of the whole House on Monday next.

Colonial Solicitors Bill—Read 3ª (according to Order), and passed 213

Mines (Prohibition of Child Labour Underground) Bill—Read 3ª (according to Order), with the Amendments, and passed, and returned to the Commons 213

Prevention of Corruption Bill [H.L.]—Read 3ª (according to Order): An Amendment made; Bill passed, and sent to the Commons 213

Volunteers Bill [H.L.]—Read 3ª (according to Order), and passed, and sent to the Commons 214

MILITIA SERGEANT-MAJORS AND QUARTERMASTERS—Question, Lord Blythswood; Answers, The Marquess of Lansdowne 214

Military Lands Bill [H.L.]—Debate on Amendment moved after Third Reading resumed (according to Order).

Lord Thring 214

Amendments, by leave of the House, withdrawn.

Moved, "That the Bill do pass."

DISCUSSION:—

The Chairman of Committee (The Earl of Morley) ... 215
The Marquess of Lansdowne 217
The Earl of Portsmouth ... 218
Lord Herries 218
The Lord Chancellor (The Earl of Halsbury) 218

On Question, agreed to; Bill passed and sent to the Commons.

SCIENCE AND ART DEPARTMENT—BUCKLAND MUSEUM—Question, The Duke of Abercorn; Answer, The Lord President of the Council (The Duke of Devonshire) 218

INDIAN FAMINE—RELIEF MEASURES—Questions, Lord Sandhurst, and The Earl of Aberdeen; Answers, The Under Secretary of State for India (The Earl of Onslow) 219

Colonial Stock Bill [H.L.]—[SECOND READING]—Order of the day for the Second Reading read.

The Earl of Halsbury 221

Bill read 2ª (according to order), and committed to a Committee of the Whole House To-morrow.

House adjourned at five minutes past Seven of the clock.

COMMONS: MONDAY, 2ND JULY, 1900.

PRIVATE BILL BUSINESS.

Dublin Electric Lighting Bill (By Order)—Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."

Amendment proposed—

"To leave out the word 'now,' and at the end of the Question to add the words 'upon this day three months.'"—(*Mr. Carew.*)

Question proposed, "That the word 'now' stand part of the Question."

DISCUSSION:—

Mr. Field (*Dublin, St. Patrick*) 223
Mr. Brown (*Shropshire, Wellington*) 227
Mr. William Moore (*Antrim, N.*) 228
Mr. Harrington (*Dublin, Harbour*) 230
The Secretary of the Local Government Board (*Mr. T. W. Russel, Tyrone, S.*) 232
Mr. Haldane (*Haddingtonshire*) 234
The President of the Board of Trade (*Mr. Ritchie, Croydon*) 235
Mr. Rutherford (*Lancashire, Darwen*) 237
Mr. Blake (*Longford, S.*) ... 239
Col. Hughes (*Woolwich*) ... 246
Mr. T. M. Healy (*Louth, N.*) ... 247
Mr. David MacIver (*Liverpool, Kirkdale*) 250

Question put.

House divided:—Ayes, 168; Noes, 174. (Division List No. 166.)

Words added.

Main Question, as amended, put, and agreed to.

Third Reading put off for three months.

Cumberland County Council (Bridges) Bill—As amended, considered.

Motion made, and Question proposed, "That Standing Orders 223 and 243 be suspended, and that the Bill be now read the third time."—(*Mr. Caldwell.*)

Mr. John Ellis (*Nottinghamshire, Rushcliffe*) 253
Mr. Caldwell (*Lanarkshire, Mid*) 253

Question put, and agreed to.

Bill accordingly read the third time, and passed.

PRIVATE BILLS (STANDING ORDER 62 COMPLIED WITH)—Mr. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bill, referred on the First Reading thereof, Standing Order No. 62 has been complied with, viz.:—London, Walthamstow, and Epping Forest Railway (Abandonment) Bill. Ordered, That the Bill be read a second time 253

PRIVATE BILLS [Lords] (STANDING ORDERS NOT PREVIOUSLY INQUIRED INTO COMPLIED WITH)—Mr. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bills, originating in the Lords, and referred on the First Reading thereof, the Standing Orders not previously inquired into, and

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which are applicable thereto, have been complied with, viz.:—Manchester Corporation Tramways Bill [Lords]: South Shields Corporation Bill [Lords]; Withington Urban District Council Bill [Lords]. Ordered, That the Bills be read a second time... 254

PROVISIONAL ORDER BILLS (STANDING ORDERS APPLICABLE THERETO COMPLIED WITH)—Mr. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bill, referred on the First Reading thereof, the Standing Orders which are applicable thereto have been complied with, viz.:—London (St. Marylebone) Provisional Order Bill; Ordered, That the Bill be read a second time To-morrow 254

PROVISIONAL ORDER BILLS [Lords] (STANDING ORDERS APPLICABLE THERETO COMPLIED WITH)—Mr. SPEAKER laid upon the Table Report from one of the examiners of Petitions for Private Bills, That, in the case of the following Bills, originating in the Lords, and referred on the First Reading thereof, the Standing Orders which are applicable thereto have been complied with, viz.:—Electric Lighting Provisional Orders (No. 6) Bill [Lords]; Electric Lighting Provisional Orders (No. 8) Bill [Lords]; Gas Orders Confirmation (No. 1) Bill [Lords]; Ordered that the Bills be read a second time To-morrow 255

Glasgow and South Western Railway Bill [Lords]; South Eastern Railway Bill [Lords]; Read the third time, and passed, with Amendments 255

Lincoln Corporation (Tramways) Bill [Lords]—As amended, considered; to be read the third time 255

Plymouth, Stonehouse, and Devonport Tramways Bill—As amended, considered; Ordered, That Standing Orders 223 and 243 be suspended, and that the Bill be now read the third time—(*Mr. Caldwell*).

Bill accordingly read the third time, and passed... 255

Sheffield District Railway Bill [Lords]—As amended, considered; to be read the third time 255

Bury and District Water (Transfer) Bill [Lords]; Glasgow Building Regulations Bill [Lords]; Great Grimsby Street Tramways Bill [Lords]; Liverpool Overhead Railway Bill [Lords]; North Eastern Railway Bill [Lords]; Preston Corporation Bill [Lords]; Ramsgate Corporation Improvements Bill [Lords]; Sheffield Corporation Bill [Lords]—Read a second time, and committed 206

Margate Corporation Bill [Lords] (By Order)—Ordered, That it be an Instruction to the Committee on the Margate Corporation Bill [Lords], to insert in Part VIII., page 50, after Clause 97, a provision to the effect that the scheme for the establishment of a superannuation fund under this part of this Act shall not come into operation until it has been registered by the Registrar of Friendly Societies under the Friendly Societies Act, subject to the provisions of this part of the Act.—(*Mr. Strachey*) 256

Education Board Provisional Orders Confirmation (Brighton and Preston United District, etc.) Bill [Lords]—Read the third time, and passed, without amendment 256

Electric Lighting Provisional Orders (No. 9) Bill; Local Government Provisional Orders (No. 7) Bill; Local Government Provisional Orders (No. 9) Bill; Local Government Provisional Orders (No. 13) Bill; Perth and Paisley Gas Provisional Orders Bill—Read the third time and passed 256

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Local Government (Ireland) Provisional Orders (Housing of Working Classes) (No. 2) Bill; Local Government (Ireland) Provisional Orders (No. 3) Bill; Local Government (Ireland) Provisional Orders (No. 4) Bill; Local Government Provisional Orders (No. 15) Bill—As amended, considered; to be read the third time To-morrow 256

Barry Railway Steam Vessels Bill [Lords]—Reported [Preamble not proved]; Report to lie upon the Table, and to be printed... 257

RAILWAY BILLS (GROUP 7)—Mr. DE TATTON EGERTON reported from the Committee on Group 7 of Railway Bills, That Mr. Robert Cameron, one of the members of the said Committee, was not present during the sitting of the Committee this day. Report to lie upon the Table. Ordered, That the Committee on Group 7 of Railway Bills have leave to make a Special Report in the case of the Tramways Provisional Orders (No. 5) Bill.—(*Mr. de Tatton Egerton*) 257

Tramways Provisional Orders (No. 5) Bill—Reported, with Amendments, and Special Report [Provisional Orders confirmed]. Report and Special Report to lie upon the Table, and to be printed. Bill, as amended, to be considered To-morrow 257

Local Government Provisional Orders (No. 10) Bill—Reported, with Amendments [Provisional Orders confirmed]; Report to lie upon the Table. Bill, as amended, to be considered To-morrow 257

Edinburgh Corporation Bill [Lords]—Reported, with Amendments; Report to lie upon the Table, and to be printed 257

Coventry Corporation Bill—Reported from the Select Committee on Police and Sanitary Regulations Bills (Section B), with Amendments; Report to lie upon the Table, and to be printed 257

Hastings Corporation Bill—Reported from the Select Committee on Police and Sanitary Regulations Bills (Section A), with Amendments; Report to lie upon the Table, and to be printed 257

MESSAGE FROM THE LORDS—That they have agreed to—Local Government Provisional Orders (Gas) Bill, without amendment.

That they have agreed to—North Warwickshire Water Bill and Widnes and Runcorn Bridge Bill, with Amendments.

That they have agreed to—Amendment to Leith Burgh Provisional Order Bill [Lords], without amendment.

That they have passed a Bill intituled, "An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts, 1882 and 1888, relating to Berwick-upon-Tweed, Harrow-on-the-Hill, Malton, the extension of the area of supply of the Midland Electric Corporation for Power Distribution, Limited, Newhaven, Seaford, Thirsk, Totnes, Witney, and Woking." Electric Lighting Provisional Orders (No. 7) Bill [Lords].

Also a Bill intituled, "An Act to confirm certain Provisional Orders made by the Board of Trade under the Tramways Act, 1870, relating to Bredbury and Romiley Urban District Council Tramways, Huddersfield Corporation Tramways, Hurst Urban District Council Tramways, Kearsley Urban District Council Tramways, Prestwich Urban District Council Tramways, Reddish Urban District Council Tramways, and Wigan Corporation Tramways." Tramways Orders Confirmation (No. 1) Bill [Lords].

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Also a Bill intituled, "An Act to confirm a Provisional Order made by the Board of Education under the Elementary Education Acts, 1870 to 1899, to enable the School Board for London to put in force the Lands Clauses Acts." Education Board Provisional Order Confirmation (London) Bill [Lords].

And also a Bill intituled, "An Act to confer further powers on the Bexhill and Rotherfield Railway Company." Bexhill and Rotherfield Railway Bill [Lords] 258

Electric Lighting Provisional Orders (No. 7) Bill—Read the first time; referred to the Examiners of Petitions for Private Bills, and to be printed. [Bill 277] 258

Tramways Orders Confirmation (No. 1) Bill [Lords]—Read the first time; referred to the Examiners of Petitions for Private Bills, and to be printed. [Bill 278] 259

Education Board Provisional Order Confirmation (London) Bill [Lords]—Read the first time; referred to the Examiners of Petitions for Private Bills, and to be printed. [Bill 279] 259

Bexhill and Rotherfield Railway Bill [Lords]—Read the first time; and referred to the Examiners of Petitions for Private Bills 259

PETITIONS.

Inebriates Amendment (Scotland) Bill—Petition of the British Medical Association, in favour; to lie upon the Table 259

Sale of Intoxicating Liquors on Sunday Bill—Petitions in favour, from New Barnet (five); and Moreton-in-Marsh; to lie upon the Table ... 259

Sale of Intoxicating Liquors to Children (No. 2) Bill—Petition from Cambridge, against; to lie upon the Table 259

Sale of Intoxicating Liquors to Children (No 2) Bill—Petition in favour, from Hunslet Moor; Burnley; Middlesbrough (fifteen); Carlisle (two); Ealing (three); Hollingbourne; Lazenby; Dudley; Great Missenden; Halifax; Birmingham; Monmouth; Kilburn; Penygroes; North Ormesby; Bridlington; Hindringham; Bourne; Northampton; and Leeds; to lie upon the Table 259

Sale of Intoxicating Liquors to Children (Scotland) Bill—Petitions in favour, from Balmaghie; Enzie; and Dundee; to lie upon the Table ... 259

Soldiers and Sailors on Active Service—Petition from Middlesbrough, for legislation; to lie upon the Table 259

Sunday Closing (Monmouthshire) Bill—Petitions in favour, from Aston Manor; Burnley; Middlesbrough; Dudley; Blaenavon; Carlisle; Lazenby; Hatfield (three); New Barnet; Brierley Hill; North Ormesby; Penygroes; Birmingham; Kilburn; Batley; and Hindringham; to lie upon the Table 260

Sunday Closing (Wales) Act (1881) Amendment Bill—Petition from Penygroes, in favour; to lie upon the Table 260

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INDUSTRIAL TRAINING OF GIRLS—Copy presented, of Report on Industrial Training of Girls in separate and district schools in the Metropolitan District, by Miss Ina Stansfeld, Assistant Inspector [by Command]; to lie upon the Table 260

IRISH LAND COMMISSION (JUDICIAL RENTS)—Copy presented, of Return of Judicial Rents during the month of November, 1899 [by Command]; to lie upon the Table 260

CONGESTED DISTRICTS BOARD (IRELAND)—Copy presented, of Ninth Report of the Board, being for the period from 1st April, 1899, to 31st March, 1900 [by Command]; to lie upon the Table 260

WAR CASUALTIES (NON-COMBATANTS)—Return presented, relative thereto. [Address 21st May; *Mr. Humphreys-Owen*]; to lie upon the Table ... 260

PAPER LAID UPON THE TABLE BY THE CLERK OF THE HOUSE—Lunacy—Copy of Fifty-fourth Report of the Commissioners in Lunacy to the Lord Chancellor, with Appendix [by Act]; to be printed. [No. 246] 260

Gas Order Confirmation (No. 2) Bill—Copy ordered, "of Memorandum stating the nature of the Proposals contained in the Provisional Orders included in the Gas Order Confirmation (No. 2) Bill"—(*Mr. Ritchie*).

Copy presented accordingly; to lie upon the Table, and to be printed. [No. 247] 260

PARLIAMENTARY ELECTIONS (AREAS TRANSFERRED)—Copy ordered, "of Statement showing, in respect of each administrative county of England and Wales, the under-mentioned particulars in regard to the areas (if any) which have been transferred to such county, and which form part of another county, for the purpose of Parliamentary Elections, in the following form:—

1. Name of the Administrative County in which the Area is situated.	2. Names of Parishes or parts of Parishes in each such Area.	3. Acreage.	4. Population, Census 1891.	5. Number of Parliamentary Electors in 1900.	6. Name of Parliamentary constituency in which each such Area is comprised.	7. Local Act or Provisional Order by which the Area was transferred to the Administrative County.

—(*Lord Edmond Fitzmaurice*)... 261

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CHINA—ANTI-FOREIGN OUTBREAK—POSITION AT PEKING—Question, Sir E. Ashmead-Bartlett (Sheffield, Ecclesall); Answer, The Under Secretary of State for Foreign Affairs (Mr. Brodrick, Surrey, Guildford) 261

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CHELSEA HOSPITAL—Question, Mr. Hedderwick (Wick Burghs); Answer, Mr. Wyndham 270

AUSTRALIAN COMMONWEALTH BILL—SUPREME JUDICIAL TRIBUNAL FOR THE EMPIRE—Question, Mr. Lyttelton (Warwick and Leamington); Answer, Mr. J. Chamberlain 271

TOBACCO DUTY—ABANDONMENT OF THE BUDGET PROPOSALS—Question, Mr. T. M. Healy (Louth, N.); Answer, The Chancellor of the Exchequer (Sir M. Hicks-Beach, Bristol, W.)... 272

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LISTOWEL TELEGRAPHIC SERVICE—Question, Mr. Flavin; Answer, Mr. Hanbury 280

DUBLIN POST OFFICE—FEMALE CLERKS—Question, Mr. Field (Dublin, St. Patrick); Answer, Mr. Hanbury 281

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ORANGE CELEBRATIONS AT DOWNPATRICK—Questions, Mr. William Johnston (Belfast, S.) and Mr. Flavin; Answer, Mr. G. W. Balfour 283

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AGRICULTURAL HOLDINGS BILL—Question, Mr. Channing (Northamptonshire, E.); Answer, Mr. A. J. Balfour 289

PUBLIC BUSINESS.

Post Office Sites Bill—Reported from the Select Committee; Report to lie upon the Table, and to be printed. [No. 248.]

Minutes of the Proceedings of the Committee to be printed. [No. 248.]

Bill, as amended, recommitted to a Committee of the whole House for Thursday next, and to be printed. [Bill 274] 290

Military Manœuvres Bill [Lords]—Read the first time; to be read a second time upon Thursday, and to be printed. [Bill 275] 290

Reserve Forces Bill [Lords]—Read the first time; to be read a second time upon Thursday, and to be printed. [Bill 276] 290

NEW BILL.

PUBLIC WORKS LOANS—Bill to grant money for the purpose of certain local loans out of the Local Loans Fund, and for other purposes relating to local loans, ordered to be brought in by Mr. Hanbury and Mr. Chancellor of the Exchequer.

Public Works Loans Bill—"To grant money for the purpose of certain local loans out of the Local Loans Fund, and for other purposes relating to local loans," presented accordingly, and read the first time; to be read a second time to-morrow, and to be printed. [Bill 280] 290

Housing of the Working Classes Act (1890) Amendment Bill—As amended, considered.

New clause :—

"(1) It shall be the duty of the medical officer of health of every rural sanitary district to represent to the local authority of that district any parish or other area within that district where danger arises to the health of the inhabitants of such parish or area from the insufficiency or unwholesomeness of the existing supply of lodging-houses for the working classes.

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"(2) If in any rural sanitary district any four or more householders living in or near to any parish or other area in such district complain in writing to the medical officer of health of that district that danger arises to the health of the inhabitants of such parish or area, or of such district, from the insufficiency or unwholesomeness of the existing supply of lodging-houses for the working classes in such parish or area, he shall forthwith inspect the same, and transmit to the local authority the said complaint and his opinion thereon; and, if he is of opinion that danger does arise as aforesaid, shall represent such parish or area to the local authority; but the absence of any such complaint shall not excuse him from the duty of making a representation under Sub-section 1 of this section where necessary.

"(3) If within three months after receiving the said complaint and opinion or representation of the medical officer, the local authority declines or neglects to take any proceedings to put this part of the Act in force, the householders who signed such complaint may petition the Local Government Board for an inquiry, and the said Board, after causing an inquiry to be held, may order the local authority to proceed under this part of this Act, and such order shall be binding on the local authority."—(*Sir Walter Foster.*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

The President of the Local Government Board (*Mr. Chaplin, Lincolnshire, Sleaford*) 293

Motion and clause, by leave, withdrawn.

New clause—

"For the purposes of Part 3 of the Housing of the Working Classes Act, 1890, a local authority may acquire vacant land compulsorily at a price equal to twenty-five years purchase of the annual value as assessed for taxation."—(*Mr. Steadman.*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

Mr. Chaplin 297

Question put, and negatived.

New clause—

"The council of any administrative county where a parish council resolve that a rural district council ought to have taken steps for the adoption of Part 3 of the Housing of the Working Classes Act, 1890, or to have exercised their powers under that part, and have failed to do so, the parish council may complain to the county council, and the county council, if satisfied after due enquiry that the district council have so failed, may resolve that the powers of the district council for the purposes of that part shall be transferred to the county council with respect to the parish, and they shall be transferred accordingly, and the resolution shall, if necessary, have effect as an adoption of that part by the district council, and, subject to the provisions of this Act, Section 63 of the Local Government Act, 1894, shall apply as if the powers had been transferred under that Act."—(*Lord Edmond Fitzmaurice.*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

DISCUSSION:—

Sir Walter Foster (*Derbyshire, Ilkeston*) 299
Sir F. S. Powell (*Wigan*) ... 299
Mr. Jonathan Samuel (*Stockton*) 300
Mr Chaplin 300

Question put, and agreed to.

Clause added.

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New clause—

"Where land is acquired under this Act otherwise than by agreement no additional compensation shall be given to the vendor in respect of compulsory purchase of such land."—(*Mr. Channing.*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

DISCUSSION :—

Mr. McLaren (*Leicestershire, Bosworth*) 303
Mr. Chaplin 304
Sir Henry Fowler (*Wolverhampton, E.*) 306
Mr. Perks (*Lincolnshire, Louth*) 307
Mr. Broadhurst (*Leicester*) ... 307
Sir John Brunner (*Cheshire, Northwich*) 309
Mr. Pickersgill (*Bethnal Green, S.W.*) 310
Sir Walter Foster 310

Question put.

The House divided :—Ayes, 96 ; Noes, 150. (Division List No. 167.)

New clause—

"Where land is acquired under Part 3 of the Housing of the Working Classes Act, 1890, otherwise than by agreement, any question as to the amount of compensation which may arise shall in default of agreement be determined by a single arbitrator, to be appointed and removable by the Local Government Board, or in the case of a council in London, by the Secretary of State."—(*Mr. Channing.*)

—brought up, and read the first and second time, and added.

New clause—

"The county council, on a representation from a parish council, or any twenty ratepayers within a rural district, may claim that the adoption of Part 3 in such rural district shall be referred to the Local Government Board, and thereupon the Local Government Board may hold a local inquiry, and after considering the report of such inquiry may make an order requiring the district council to adopt Part 3 within a time and under conditions prescribed in the order."—(*Mr. Channing.*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

Mr. Chaplin 314

Motion and clause, by leave, withdrawn.

New clause—

"Where it appears to any council which has adopted Part 3 of the Housing of the Working Classes Act, 1890, that land will be required for supplying the needs of their district in respect of lodging-houses within any period not exceeding twenty-five years, such land may be acquired under the provisions of that part."—(*Mr. Pickersgill.*)

—brought up, and read the first time

Motion made, and Question proposed, "That the clause be read a second time."

DISCUSSION :—

Mr. Hazell (*Leicester*) ... 316
The Attorney-General (*Sir Robert Finlay, Inverness Burghs*) 317
Mr. Perks 319
Sir F. S. Powell 319
Mr. Jonathan Samuel 320
Mr. Bryn Roberts (*Carnarvonshire, Eifion*) 321
Sir Walter Foster 322
Mr. Chaplin 323

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Motion and clause, by leave, withdrawn.

The Amendment moved—

"In Clause 1, page 1, line 26, to leave out the words 'special and.'"—(*Mr. Grant Lawson.*)

DISCUSSION :—

Mr. Caldwell (*Lanarkshire, Mid*) 324
Mr. Chaplin 324
Mr. Jonathan Samuel 325
Mr. Channing 325
Sir Robert Finlay 325

Bill to be read the third time upon Thursday.

Agricultural Holdings Bill—Order for consideration of Bill as amended (by the Standing Committee) read.

Motion made and Question proposed, "That the Bill be now considered."

DISCUSSION :—

Mr. Channing (*Northamptonshire, E.*) 325

Attention called to the fact that forty Members were not present (Lord HUGH CECIL, Greenwich). House counted, and, forty Members being found present,

DISCUSSION :—

Mr. Channing 326
Lord Willoughby de Eresby (*Lincolnshire, Horncastle*) 328
The President of the Board of Agriculture (*Mr. Long, Liverpool, West Derby*) ... 330
Earl Percy (*Kensington, S.*) 334
Capt. Pretyman (*Suffolk, Woodbridge*) 337
Mr. Buchanan (*Aberdeenshire, E.*) 340
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The Attorney General (*Sir Robert Finlay, Inverness Burghs*) ... 343
Mr. Humphreys-Owen (*Montgomeryshire*) 345
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Mr. Gibson Bowles (*Lynn Regis*) 347
Mr. Heywood Johnstone (*Sussex, Horsham*) 349
Mr. H. C. Richards (*Finsbury, E.*) 350
Capt. Sinclair (*Forfarshire*) ... 352

Question put, and agreed to.

New clause—

"Every contract of tenancy entered into after the commencement of this Act shall contain a scheduled record of the agricultural condition of the holding and its several parts, and of the buildings, fences, roads, and drains at the beginning of the contract of tenancy. At any time during a tenancy existing at the commencement of this Act, either party may require a record in similar form to be made by an arbitrator. Copies of all such records shall be deposited in the office of the registrar of the county court, and either party shall be entitled to inspect the same at all reasonable times, and to take copies thereof."—(*Mr. Channing.*)

—brought up and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

DISCUSSION :—

Mr. Long 354
Mr. Humphreys-Owen ... 355
Lord Willoughby de Eresby 356
Sir William Wedderburn (*Banffshire*) 357
Sir John Kinloch (*Perthshire, E.*) 357
Mr. Heywood Johnstone... ... 358

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Question put.

The House divided: Ayes, 46; Noes, 142. (Division List No. 168.)

It being after Midnight, further Proceeding on Consideration, as amended, stood adjourned.

Bill, as amended (by the Standing Committee), to be further considered To-morrow.

Charitable Loans (Ireland) Bill—Read the third time, and passed ... 359

Customs Duties (Isle of Man) Bill—Read the third time, and passed ... 359

Executors (Scotland) Bill—As amended (by the Standing Committee), considered; Bill read the third time, and passed 460

Adjourned at Ten minutes after Twelve of the clock.

LORDS: TUESDAY, 3RD JULY, 1900.

PRIVATE BILL BUSINESS.

The LORD CHANCELLOR acquainted the House that the Clerk of the Parliaments had laid upon the Table the Certificates from the Examiners that the further Standing Orders applicable to the following Bills have been complied with:—London County Council (Money); Tottenham Urban District Council. The same were ordered to lie upon the Table ... 361

STANDING ORDERS COMMITTEE—Report from, That the Standing Orders not complied with in respect of the following Bill—West Ham Corporation—ought to be dispensed with, and the Bill allowed to proceed. Read, and agreed to 361

Devonport Corporation Bill—The CHAIRMAN OF COMMITTEES informed the House that the opposition to the Bill was withdrawn. The Order made on the 25th of June last discharged, and Bill committed 361

Exeter Corporation Bill—The CHAIRMAN OF COMMITTEES informed the House that the opposition to the Bill was withdrawn. The Order made on the 14th of May last discharged, and Bill committed 361

London and St. Katherine Docks and East and West India Dock Companies Bill; Buenos Ayres and Rosario Railway Bill [H.L.]; St. Albans Water Bill—Report with Amendments 361

Morley Corporation Bill [H.L.]—Read 3ª, and passed, and sent to the Commons 361

British Gaslight Company (Staffordshire Potteries) Bill—Read 3ª, and passed 362

Latimer Road and Acton Railway Bill—Read 3ª, with the Amendment, and passed, and returned to the Commons 362

Croydon Tramways and Improvements Bill; Cumberland County Council (Bridges) Bill; Plymouth, Stonehouse, and Devonport Tramways Bill—Brought from the Commons; read 1ª; and referred to the Examiners 362

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Educational Board Provisional Orders Confirmation (Brighton and Preston United Districts, etc.) Bill [H.L.]—Returned from the Commons agreed to 362

Glasgow and South Western Railway Bill [H.L.]; South Eastern Railway Bill [H.L.]—Returned from the Commons agreed to, with Amendments. The said Amendments considered, and agreed to... ... 362

Tramways Orders Confirmation (No. 2) Bill [H.L.]—Amendments reported (according to Order), and Bill to be read 3ª on Thursday next ... 362

Electric Lighting Provisional Orders (No. 9) Bill [No. 155]; Local Government Provisional Orders (No. 7) Bill [No. 156]; Local Government Provisional Orders (No. 9) Bill [No. 157]; Local Government Provisional Orders (No. 13) Bill [No. 158]; Perth and Paisley Gas Provisional Orders Bill [No. 159]—Brought from the Commons; read 1ª; to be printed; and referred to the Examiners... 362

RETURNS, REPORTS, ETC.

TRADE REPORTS (ANNUAL SERIES)—No. 2468. Turkey (Salonica and District); No. 2469. China (Chinkiang); No. 2470. Brazil (Bahia) 362

CELTIC ORNAMENTS FOUND IN IRELAND—Summary, prepared by the Treasury, of facts and correspondence with respect to certain Celtic ornaments found in the year 1896, at Limavady, in the north-west of Ireland. Presented (by Command), and ordered to lie on the Table 363

District Councillors and Guardians (Term of Office) Bill [Second Reading]—Order of the Day for the Second Reading read.

DISCUSSION :—

The Earl of Yarborough ... 363 *Lord James of Hereford* ... 363

Bill read 2ª (according to Order), and committed to a Committee of the whole House on Thursday next.

Ancient Monuments Protection Bill—Read 3ª (according to Order), with the Amendments; further Amendments made. Bill passed, and returned to the Commons 363

Commonwealth of Australia Constitution Bill—House in Committee (according to Order). Bill reported without Amendment. Standing Committee negatived; and Bill to be read 3ª on Thursday next 364

Colonial Stock Bill [H.L.]—House in Committee (according to Order). Bill reported without amendment; and recommitted to the Standing Committee 364

QUEEN ANNE'S BOUNTY BOARD—Moved, That the Commons' Message of Thursday last be taken into consideration (*The Earl Waldegrave*); agreed to. The said Message considered accordingly. Then it was moved that a Committee of Five Lords be appointed to join with a Committee of the House of Commons to consider the constitution of Queen Anne's Bounty Board, and to report whether economy and efficiency of administration would be promoted by any change in its constitution or by its amalgamation with any other body; agreed to.

Then a Message was ordered to be sent to the House of Commons, in answer to their said Message, to inform them of the appointment of the said Committee by this House 364

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Charitable Loans (Ireland) Bill (No. 152); Customs Duties (Isle of Man) Bill (No. 153); Executors (Scotland) Bill (No. 154)—Brought from the Commons; read 1ª; and to be printed 364

Marriage Act Amendment Bill [H.L.]—Reported from the Standing Committee with further Amendments. The Report of the Amendments made in Committee of the whole House and by the Standing Committee to be received on Thursday next; and Bill to be printed as amended. (No. 160) 364

Union of Benefices Act, 1860, Amendment Bill [H.L.]—Reported from the Standing Committee without amendment, and to be read 3ª on Thursday next 364

Cremation Bill [H.L.]—Reported from the Standing Committee with further Amendments. The Report of the Amendments made in Committee of the whole House and by the Standing Committee to be received on Friday next; and Bill to be printed as amended. (No. 161) 365

Burial Grounds Bill—Reported from the Standing Committee without amendment, and to be read 3ª on Friday next 365

House adjourned at Twenty minutes before Five of the clock.

COMMONS: TUESDAY, 3RD JULY, 1900.

PRIVILEGE—NOTICES OF QUESTIONS—Question, Mr. Swift MacNeill (Donegal, S.); Answer, Mr. Speaker 365

PRIVATE BILL BUSINESS.

Electric Lighting Provisional Order (No. 11) Bill (by Order)—Order for Second Reading read.

Motion made and Question proposed, "That the Bill be now read a second time."

Amendment proposed—

"To leave out the word 'now,' and at the end of the Question to add the words 'upon this day three months.'"—(*Captain Norton.*)

Question proposed, "That the word 'now' stand part of the Question."

DISCUSSION:—

General Laurie (Pembroke and Haverfordwest) ... 371
The President of the Board of Trade (Mr. Ritchie, Croydon) 373
Mr. Cripps (Gloucestershire, Stroud) 375
Mr. Lyttelton (Warwick and Leamington) 375

Question put.

The House divided—Ayes, 119; Noes, 147. (Division List No. 169.)

Words added.

Main Question, as amended, put, and agreed to.

Second Reading put off for three months.

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Gas Order Confirmation (No. 2) Bill [Lords] (by Order)—Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

Amendment proposed—

"To leave out the word 'now,' and at the end of the Question to add the words 'upon this day three months.'"—(*Mr. Doogan.*)

Question proposed, "That the word 'now' stand part of the Question."

DISCUSSION :—

Mr. William Johnston (Belfast, S.) 382
Mr. Murnaghan (Tyrone, Mid) 384
The Secretary to the Local Government Board (Mr. T. W. Russell, Tyrone, S.) 384
The President of the Board of Trade (Mr. Ritchie, Croydon) 386
Mr. Lough (Islington, W.) ... 386

Motion made, and Question proposed, "That the debate be now adjourned."—(*Mr. Caldwell.*)

DISCUSSION :—

Mr. Dillon (Mayo, E.) ... 387
Mr. Ritchie 388
Mr. Doogan (Tyrone, E.) ... 388
Mr. William Johnston 388
Mr. Field (Dublin, St. Patrick)... 388

Question put, and agreed to. Debate to be resumed upon Tuesday, 17th July.

PRIVATE BILLS [Lords] (STANDING ORDERS NOT PREVIOUSLY INQUIRED INTO COMPLIED WITH)—Mr. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bills, originating in the Lords, and referred on the First Reading thereof, the Standing Orders not previously inquired into, and which are applicable thereto, have been complied with, viz. :—Hammond (G. H.) Company Bill [Lords]; London and San Francisco Bank Bill [Lords]; Ordered, That the Bills be read a second time 388

PRIVATE BILLS [Lords] (STANDING ORDERS NOT PREVIOUSLY INQUIRED INTO NOT COMPLIED WITH)—Mr. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bill, originating in the Lords, and referred on the First Reading thereof, the Standing Orders not previously inquired into, and which are applicable thereto, have not been complied with, viz. :—Caledonian Railway Bill [Lords]. Ordered, That the Report be referred to the Select Committee on Standing Orders 389

Hamilton Burgh Bill—Lords Amendments considered and agreed to ... 389

Wirral Railway Bill [Lords]—Read the third time, and passed, with Amendments 389

Croydon Tramways and Improvements Bill—As amended, considered. Ordered, That Standing Orders 223 and 243 be suspended, and that the Bill be now read the third time.—(*Mr. Caldwell.*)—Bill accordingly read third time and passed... 389

East Stirlingshire Water Bill [Lords]—As amended, considered; Amendments made; Bill to be read the third time 389

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Muirkirk, Mauchline, and Dalmellington Railways (Abandonment) Bill [Lords]—Read a second time, and committed... 389

Motherwell and Bellshill Railway Bill [Lords]—Ordered, That the Minutes of Evidence taken before the Committee on the Motherwell and Bellshill Railway Bill [Lords], of the present session, be referred to the Committee on Group No. 8 of Railway Bills.—(*Mr. Caldwell*) 389

Local Government (Ireland) Provisional Orders (No. 2) Bill; Local Government Provisional Orders (No. 2) Bill—Lords Amendments considered, and agreed to 390

Local Government (Ireland) Provisional Orders (Housing of Working Classes) (No. 2) Bill; Local Government (Ireland) Provisional Orders (No. 3) Bill; Local Government (Ireland) Provisional Orders (No. 4) Bill; Local Government Provisional Orders (No. 15) Bill—Read the third time, and passed 390

Local Government Provisional Orders (No. 10) Bill; Tramways Provisional Orders (No. 5) Bill—As amended, considered; to be read the third time To-morrow 390

Electric Lighting Provisional Orders (No. 6) Bill [Lords]; Electric Lighting Provisional Orders (No. 8) Bill [Lords]; Gas Orders Confirmation (No. 1) Bill [Lords]; London (St. Marylebone) Provisional Order Bill—Read a second time, and committed 390

Railway Bills (Group 8)—Ordered, That the said John Marshall and David Henderson Macdonald do attend the Committee on Group 8 of Railway Bills on Thursday next, at half-past Eleven of the clock.—(*Mr. James William Lowther*) 390

Standing Orders—Resolutions reported from the Committee :—

1. "That, in the case of the Salford Corporation Bill [Lords], the Standing Orders ought to be dispensed with—That the parties be permitted to proceed with their Bill."

2. "That, in the case of the North British Railway Bill [Lords], the Standing Orders ought to be dispensed with—That the parties be permitted to proceed with their Bill."

Resolutions agreed to 391

Salford Corporation Bill [Lords]—Report [this day] from the Select Committee on Standing Orders read. Ordered, That the Bill be read a second time.—(*Mr. Caldwell*) 391

North British Railway Bill [Lords]—Report [this day] from the Select Committee on Standing Orders read. Ordered, That the Bill be read a second time.—(*Mr. Caldwell*) 391

Tyneside Electric Power Bill—Reported from the Select Committee on Electric Power Bills [Preamble not proved]; Report to lie upon the Table 391

Rotherham Corporation Bill [Lords]—Reported, with Amendment; Report to lie upon the Table, and to be printed 391

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MESSAGE FROM THE LORDS—That they have agreed to Bedford Gas Bill, without amendment. That they have agreed to—Vale of Rheidol Light Railway Bill, with an Amendment. That they have agreed to—Woodbridge District Water Bill, Hartlepool Gas and Water Bill, City of London Electric Lighting Bill, and Lancashire and Yorkshire Railway Bill, with Amendments. That they have agreed to Amendment to—Gas and Water Orders Confirmation Bill [Lords], without amendment. That they have passed a Bill intituled, "An Act to extend the borrowing powers of the Mayor, Aldermen, and Burgesses of the borough of Morley, and to make further provision in regard to their water and electrical undertakings, and for the improvement and good government of the said borough; and for other purposes." Morley Corporation Bill [Lords] 391

Morley Corporation Bill [Lords]—Read the first time; and referred to the Examiners of Petitions for Private Bills 392

KILRUSH HARBOUR (PROPOSED PROVISIONAL ORDER)—Copy ordered, "of the Report made to the Board of Trade on the subject of an inquiry held by the Board of Trade at the Court House, Kilrush, on the 27th day of April, 1900, relative to a Provisional Order applied for by Mr. Vandaleur on the subject of Kilrush Pier, which Provisional Order has been refused." (*Major Jameson*) 392

PETITIONS.

Land Values Taxation (Scotland) Bill—Petition from Bonhill, in favour; to lie upon the Table 392

Sale of Intoxicating Liquors on Sunday Bill—Petitions in favour, from Poynings; Fulking; Norwich (five); Old Lakenham; Ilford; Farnworth; and Portsmouth; to lie upon the Table 392

Sale of Intoxicating Liquors to Children (No. 2) Bill—Petition from Glasgow, against; to lie upon the Table. Petitions in favour, from Lydford; Brandon Colliery; Battle; Sherburn Hill; Browney; Middleton; Walsden; Dundee; Uttoxeter (two); Hunslet; West Bromwich; Bideford; Orpington; Norwich (four); Blackhill (two); Bethnal Green; Burton-on-Trent; Hythe; Nottingham; Bournemouth (two); Farnworth (four); Morecambe; Mountain Ash; Christchurch (seven); Croydon; and Cheriton; to lie upon the Table 392

Sale of Intoxicating Liquors to Children (Scotland) Bill—Petitions in favour, from Benholm; and Roxburgh; to lie upon the Table 393

Sunday Closing (Monmouthshire) Bill—Petitions in favour, from Rugeley; Walsden; Sherburn Hill; Bethnal Green; Holsworthy; Tavistock; Caledonian Road; Bulkworthy; Nottingham; Norwich (four); West Bromwich (two); Ryhope; Bradford; Farnworth (two); Croydon; Portsmouth; Mountain Ash; and Morecambe; to lie upon the Table 393

RETURNS, REPORTS, ETC.

CELTIC ORNAMENTS FOUND IN IRELAND—Copy presented, of Summary prepared by Treasury of Facts and Correspondence with respect to certain Celtic Ornaments [by Command]; to lie upon the Table 393

APPOINTMENTS OPEN TO RETIRED SOLDIERS—Return presented, relative thereto [ordered 16th June, 1899; *Colonel Long*]; to lie upon the Table, and to be printed. [No. 249.] 393

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HIGH COURT OF JUSTICE (CLERKS)—Return presented, relative thereto [ordered 24th May; *Admiral Field*]; to lie upon the Table 393

TRADE REPORTS (ANNUAL SERIES)—Copies presented, of Diplomatic and Consular Reports, Annual Series, Nos. 2468 to 2470 [by Command]; to lie upon the Table 393

TRAMWAYS (STREET AND ROAD)—Return ordered; "of Street and Road Tramways authorised by Parliament, showing the amount of Capital authorised, paid up, and expended; the length of Tramway authorised, and the length open for the public conveyance of passengers down to the 30th day of June, 1900; the gross Receipts, working Expenditure, and net Receipts; the number of passengers conveyed and the number of miles run by Cars during the year ended the 30th June, 1900; together with the number of Horses, Engines, and Cars at that date (in continuation of Parliamentary Paper, No. 327, of Session 1899)."—(*Mr. Ritchie*) 393

QUESTIONS.

CHINA—ANTI-FOREIGN OUTBREAK—RECENT NEWS—Question, Sir H. Campbell-Bannerman (Stirling Burghs); Answer, The Under-Secretary of State for Foreign Affairs (Mr. Brodrick, Surrey, Guildford) 394

COMMAND OF THE ALLIED FORCES—Question, Sir J. Colomb (Great Yarmouth); Answer, The Under-Secretary of State for War (Mr. Wyndham, Dover) 394

SUGGESTED MOVEMENT OF TROOPS FROM SOUTH AFRICA TO CHINA—Question, Mr. Swift MacNeill (Donegal, S.); Answer, Mr. Wyndham 394

SOUTH AFRICAN WAR—SIR GEORGE WHITE'S LADYSMITH DESPATCHES—Questions, Captain Norton (Newington, W.) and Sir Henry Fowler (Wolverhampton, E.); Answers, Mr. Wyndham 395

THE LATE GENERAL WAUCHOPE—Question, Mr. Swift MacNeill; Answer, The First Lord of the Treasury (Mr. Hanbury, Preston) 395

ENTERIC FEVER—STATISTICS—Questions, Sir Walter Foster (Derbyshire, Ilkeston) and Mr. Swift MacNeill; Answers, Mr. Wyndham 396

ENTERIC FEVER—THE SERUM TEST—Question, Dr. Farquharson (Aberdeenshire, W.); Answer, Mr. Wyndham 397

PRIVATE SOLDIERS MESSING AND RATION ALLOWANCES—Question, Mr. Elliot (Durham); Answer, Mr. Wyndham... 397

CENSORSHIP REGULATIONS—Question, Mr. John Ellis; Answer, Mr. Wyndham 398

TREATMENT OF DISCHARGED SOLDIERS—Question, Mr. Swift MacNeill; Answer, Mr. Wyndham 399

ARTILLERY ESTABLISHMENT REDUCTION IN 1892–95—Question, Mr. McKenna; Answer, Mr. Wyndham 399

ARMY PENSION REGULATIONS—Question, Sir John Kennaway (Devonshire, Honiton); Answer, Mr. Wyndham 400

LICHFIELD RIFLE RANGE—Question, Mr. Warner (Staffordshire, Lichfield); Answer, Mr. Wyndham 400

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VOLUNTEER MOUNTED INFANTRY GRANT—Question, Mr. Lucas Shadwell (Hastings); Answer, Mr. Wyndham 400

SHORNCLIFFE CAMP—HOSPITAL ARRANGEMENT—DEATH OF SERGEANT WILMHURST—Question, Captain Norton; Answer, Mr. Wyndham 401

ROYAL RESERVE REGIMENT OF HUSSARS—Questions, Mr. Swift MacNeill, Major Rasch (Essex, S.E.), General Laurie (Pembroke and Haverfordwest), and Mr. Boscawen (Kent, Tunbridge); Answers, Mr. Wyndham... ... 402

BELLEVILLE BOILERS—ROYALTIES AND FEES—Question, Mr. Penn (Lewisham); Answer, The First Lord of the Admiralty (Mr. Goschen, St. George's, Hanover Square) 404

WATER TUBE BOILERS—Question, Mr. Edmund Robertson (Dundee); Answer, Mr. Goschen 404

AUSTRALIA AND IMPERIAL DEFENCE—AUSTRALIAN HELP IN THE CHINESE DIFFICULTY—Questions, Mr. Edmund Robertson and Sir J. Colomb; Answers, Mr. Goschen 405

REORGANISATION OF THE MILITARY FORCES OF THE EMPIRE—Question, Mr. Drage (Derby); Answer, Mr. A. J. Balfour... 405

SIRDAR BHAI SHAMSHERE SINGH—Question, Mr. Kimber (Wandsworth); Answer, The Secretary of State for India (Lord G. Hamilton, Middlesex, Ealing)... 406

CANADIAN ARTILLERY—CASE OF CORPORAL COURTNEY—Question, Mr. Woods (Essex, Walthamstow); Answer, The Secretary of State for the Colonies (Mr. J. Chamberlain, Birmingham, W.) 406

BANKRUPTCY TRUSTEES AND ASSIGNMENT OF DEBTS—Question, Sir Henry Stanley (Lambeth, N.); Answer, The President of the Board of Trade (Mr. Ritchie, Croydon) 406

SALE OF UNDERSIZED SEA-FISH—LEGISLATION IN FOREIGN COUNTRIES—Questions, Mr. Gibson Bowles (Lynn Regis), Sir Cameron Gull (Devonshire, Barnstaple), and Sir J. Colomb; Answers, Mr. Ritchie 407

FRIENDLY SOCIETIES AND DEATH CERTIFICATES—Question, Mr. Woods; Answer, The President of the Local Government Board (Mr. Chaplin, Lincolnshire, Sleaford) 408

CIVIL SERVICE RETIREMENT REGULATIONS — Question, Captain Norton; Answer, The Financial Secretary to the Treasury (Mr. Hanbury, Preston) 409

ACCOUNTANT-GENERAL'S OFFICE, DUBLIN—Question, Mr. T. M. Healy (Louth, N.); Answer, Mr. Hanbury 410

IRISH LAND ACTS—THE ASHBOURNE ACT—Question, Mr. Daly (Monaghan, S.); Answer, The Chief Secretary for Ireland (Mr. G. W. Balfour, Leeds, Central) 410

LISTOWEL SUB-COMMISSION—Question, Mr. Flavin (Kerry, W.); Answer, Mr. G. W. Balfour 411

IRISH LUNATIC ASYLUM REGULATIONS—Question, Mr. O'Keeffe (Limerick); Answer, Mr. G. W. Balfour 411

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THE SEIZURE OF THE "UNITED IRISHMAN"—Question, Mr. Field (Dublin, St. Patrick); Answer, Mr. G. W. Balfour 412

IRISH CONSTABULARY CLOTHING—Questions, Mr. T. M. Healy and Mr. Flynn (Cork, N.); Answers, Mr. G. W. Balfour 412

POTATO GROWING IN IRELAND—EXPERIMENTS WITH ELECTRICITY—Questions, Mr. Austin (Limerick, W.) and Mr. William Johnston (Belfast, S.); Answer, The Vice-President of the Department of Agriculture for Ireland (Mr. Plunkett, Dublin Co., S.) 414

QUEEN ANNE'S BOUNTY—Question, Mr. Carvell Williams (Nottinghamshire, Mansfield); Answer, Mr. A. J. Balfour 414

BUSINESS OF THE HOUSE—Questions, Sir H. Campbell-Bannerman and Mr. John Redmond (Waterford); Answers, Mr. A. J. Balfour 414

PUBLIC BUSINESS.

SELECTION (STANDING COMMITTEES)—Mr. HALSEY reported from the Committee of Selection, That they had discharged the following Member from the Standing Committee on Trade (including Agriculture and Fishing), Shipping, and Manufactures:—Mr. Kemp; and had appointed in substitution: Mr. Charles M'Arthur.

Mr. HALSEY further reported from the Committee, That they had added to the Standing Committee on Trade (including Agriculture and Fishing), Shipping, and Manufactures, the following fifteen Members in respect of the Money Lending Bill [Lords]:—Sir William Anson, Mr. Thomas Bayley, Mr. Birrell, Mr. Butcher, Mr. Sydney Gedge, Mr. Vicary Gibbs, Mr. Hazell, Mr. Lyttelton, Mr. Maddison, Mr. Marks, Mr. Murnaghan, Major Rasch, Mr. Steadman, Mr. Lawson Walton, and Mr. Warr. Reports to lie upon the Table 415

MESSAGE FROM THE LORDS—That they have agreed to—Colonial Solicitors Bill, without amendment.

That they have agreed to—Coal Mines (Prohibition of Child Labour Underground) Bill, changed to Mines (Prohibition of Child Labour Underground) Bill, with Amendments.

That they have passed a Bill intituled, "An Act to check Corruption." Prevention of Corruption Bill [Lords].

Also a Bill intituled, "An Act to Amend the Volunteer Act, 1863." Volunteers Bill [Lords].

Also a Bill intituled, "An Act to amend the Military Lands Act, 1892." Military Lands Bill [Lords].

Queen Anne's Bounty Board—That they have appointed a Committee consisting of Five Lords to join with a Committee of the Commons (pursuant to Message of this House) to consider the Constitution of Queen Anne's Bounty Board, and to report whether economy and efficiency of administration would be promoted by any change in its constitution or by its amalgamation with any other body 415

Veterinary Surgeons Amendment Bill—Reported from the Standing Committee on Law, etc., without amendment. Report to lie upon the Table, and to be printed. [No. 250.] Minutes of the Proceedings of the Standing Committee to be printed. [No. 250.] Bill to be read the third time To-morrow 416

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China — Anti-Foreign Outbreak — Position of British Legation at Peking—[Motion for Adjournment].

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Pritchard Morgan.*)

Discussion :—

Mr. Joseph Walton (*Yorkshire, W.R., Barnsley*) ... 419
Mr. Gibson Bowles (*Lynn Regis*) 421
Mr. Dillon (*Mayo, E.*) ... 423
Sir E. Ashmead-Bartlett (*Sheffield, Eccleshall*) ... 424
The Under-Secretary of State for Foreign Affairs (*Mr. Brodrick, Surrey, Guildford*) ... 427
Sir Edward Grey (*Northumberland, Berwick*) 433

Motion, by leave, withdrawn.

NEW BILL.

Wild Birds Protection—Bill to consolidate and amend the Law relating to the protection of Wild Birds, ordered to brought in by Mr. Bigwood, Mr. Howard, Mr. Buxton, and Sir John William Maclure.

Wild Birds Protection Bill—"To consolidate and amend the Law relating to the Protection of Wild Birds," presented accordingly, and read the first time; to be read a second time upon Tuesday next, and to be printed. [Bill 281] 434

Queen Anne's Bounty Joint Committee—Ordered, That Sir William Anson, Mr. Humphreys-Owen, Mr. W. F. D. Smith, Mr. Stevenson, and Mr. Stuart-Wortley be members of the Joint Committee on Queen Anne's Bounty—(*Sir William Walrond*) 434

Tithe Rent-Charge (Ireland) Bill—Order for Committee read. Bill considered in Committee.

[Mr. J. W. Lowther (Cumberland, Penrith) in the Chair.]

Clause 1 :—

Amendment proposed—

"In page 1, line 9, after 'rent-charge' to insert 'and the land has not been, since the date of such order, conveyed to any person on a sale thereof.'"—(*Mr T. M Healy.*)

Question proposed, "That those words be there inserted."

Discussion :—

The Chief Secretary for Ireland (*Mr. G. W. Balfour, Leeds, Central*) 435
Mr. T. M. Healy (*Louth, N.*) 436
Mr. Dillon (*Mayo, E.*) ... 437
Serjt. Hemphill (*Tyrone, N.*) 438
Mr. William Moore (*Antrim, N.*) 440
Mr. T. M. Healy 441
Mr. Flynn (*Cork, N.*) 443
The First Lord of the Treasury (*Mr. A. J. Balfour, Manchester, E.*) 444

Amendment, by leave, withdrawn.

Amendment proposed—

"In page 1, line 10, to leave out the words 'forty-five,' and insert the words 'fifty-one.'"—(*Mr. Dillon.*)

Question proposed, "That the words 'forty-five' stand part of the Clause."

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DISCUSSION :—

Mr. G. W. Balfour ... 447
Mr. Swift MacNeill (*Donegal, S.*) 447
Serjeant Hemphill 448
Mr. Dillon 449
Mr. Murnaghan (*Tyrone, Mid*)... 450

Question put.

The Committee divided :—Ayes, 116 ; Noes, 66. (Division List No. 170.)

Amendment proposed—

"In page 1, line 10, after the word 'forty-five,' to insert the word 'annual.'"—(*Mr. T. M Healy.*)

Question proposed, "That those words be there inserted."

Mr. G. W. Balfour ... 451
The Attorney-General for Ireland (*Mr. Atkinson, Londonderry, N.*) 452

Amendment, by leave, withdrawn.

Amendment proposed—

"In page 1, line 20, to leave out the word 'ten,' and insert the word 'fifteen.'"—(*Mr. Dillon.*)

Question proposed, "That the word 'ten' stand part of the clause."

DISCUSSION :—

Mr. G. W. Balfour ... 453
Mr. Dillon 454
Serjt. Hemphill 454
Mr. Archdale (*Fermanagh, N.*) 455
Mr. T. M. Healy 455
Mr. Dillon 457
Mr. Swift MacNeill 459
Mr. Caldwell (*Lanarkshire, Mid*) 460
Mr. T. M. Healy 462
Mr. Murnaghan 463

Motion made, and Question proposed, "That the Chairman do report Progress ; and ask leave to sit again."—(*Mr. MacNeill.*) But the Chairman, being of opinion that the motion was an abuse of the Rules of the House, declined to propose the Question thereon to the Committee.

Mr. McKenna (*Monmouthshire, N.*) 464
Mr. G. W. Balfour 465
Mr. Dillon 465

Question put.

The Committee divided :—Ayes, 126 ; Noes, 84. (Division List No. 171.)

Question proposed, "That Clause 1 stand part of the Bill."

Mr. Dillon... 467
Mr. G. W. Balfour ... 478
Mr. Edmund Robertson (*Dundee*) 481
Mr. T. P. O'Connor (*Liverpool, Scotland*) 482
Mr. Flynn 486

Mr. A. J. BALFOUR rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

The Committee divided :—Ayes, 144 ; Noes, 64. (Division List No. 172.)

Question put accordingly, "That Clause 1 stand part of the Bill."

The Committee divided :—Ayes, 143 ; Noes, 64. (Division List No. 173.)

It being after midnight, the Chairman left the Chair to make his Report to the House.

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Committee report Progress; to sit again this day.

Education of the Blind (Scotland) Bill—Considered in Committee. Committee report Progress. Order for Committee discharged; Bill withdrawn 491

Adjourned at twenty minutes after Twelve of the clock.

COMMONS: WEDNESDAY, 4TH JULY, 1900.

PRIVATE BILL BUSINESS.

Taunton Corporation Bill.—As amended considered.

Amendment proposed—

"In page 18, after line 25, to insert the words, 'It shall be open to any local authority, dairyman, or person aggrieved by any such order or withdrawal of such order to appeal in a summary manner to a court of petty sessions having jurisdiction in the district in which the dairy is situated, and the court may either make an order requiring the dairyman to cease from supplying milk, or may vary or rescind any order which has been made by the local authority, and they may at any time withdraw any order made under this section. Pending the disposal of any such appeal the order shall remain in force.'"—(*Mr. Strachey.*)

Question proposed, "That those words be there inserted."

DISCUSSION:—

Lord Edmond Fitzmaurice (*Wiltshire, Cricklade*) ... 494
Colonel Welby (*Taunton*) ... 495
The Secretary to the Local Government Board (*Mr. T. W. Russell, Tyrone, S.*) 496
Sir John Dorington (*Gloucestershire, Tewkesbury*) 498
Mr. Jonathan Samuel (*Stockton*) 499

Motion made and Question proposed, "That the debate be now adjourned."—(*Mr. Hobhouse.*)

DISCUSSION:—

Captain Pretyman (*Suffolk, Woodbridge*) 502
Mr. T. W. Russell 502

Motion, by leave, withdrawn.

DISCUSSION:—

Mr. Jeffreys (*Hampshire, N.*) 502
Colonel Pilkington (*Lancashire, Newton*) 504
Mr. Warner (*Staffordshire, Lichfield*) 505
Mr. Dillon (*Mayo, E.*) ... 506
Mr. Renshaw (*Renfrewshire, W.*) 509
Mr. T. W. Russell 509
Mr. Seely (*Lincoln*) 510
Mr. Malcolm (*Suffolk, Stowmarket*) 510
Lord Edmond Fitzmaurice ... 511
Mr. Philipps (*Pembrokeshire*) ... 512

Question put.

The House divided:—Ayes, 98; Noes, 99. (Division List No. 174.)

Bill to be read the third time.

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Newcastle-upon-Tyne Electric Supply Bill.—As amended, considered.

Ordered, That Standing Orders 223 and 243 be suspended, and that the Bill be now read the third time.—(*Mr Caldwell.*)

Queen's consent signified. Bill read the third time and passed 513

Scarborough Corporation Bill—As amended, considered. Ordered, That Standing Orders 223 and 243 be suspended, and that the Bill be now read the third time.—(*Mr. Caldwell*).

Queen's consent signified. Bill read the third time, and passed. [New Title] 514

Taunton Corporation Bill (By Order)—As amended, considered 514

Walsall Corporation Bill [Lords]—Read a second time, and committed ... 515

Dublin, Wicklow, and Wexford Railway Bill [Lords]. (By Order.)—Read a second time, and committed 515

Great Indian Peninsula Railway Company Bill—Ordered, That, in the case of the Great Indian Peninsula Railway Company Bill, Standing Order 236 be suspended, and that the Committee have leave to proceed with the Bill To-morrow.—(*The Chairman of Ways and Means*) 515

Local Government Provisional Orders (No. 10) Bill; Tramways Provisional Orders (No. 5) Bill—Read the third time, and passed 515

Alexandra Park Bill; Barnsley Corporation Bill [Lords]; Donegal Railway Bill [Lords]—Reported, with Amendments; Reports to lie upon the Table, and to be printed 515

Fishguard and Rosslare Railways and Harbours Bill [Lords]—Reported, without Amendment; Report to lie upon the Table, and to be printed ... 515

London Sea Water Supply Bill [Lords]—Reported, with Amendments; Report to lie upon the Table... 515

Glyncorrwg Urban District Council Gas Bill [Lords]; Gwyrfai Rural District Council Water Bill [Lords]; South Staffordshire Tramways Bill [Lords]—Reported, with Amendments; Reports to lie upon the Table, and to be printed 515

Shannon Water and Electric Power Bill—Reported, with Amendments; Report to lie upon the Table... 515

Private Bills (Group K)—Sir Frederick Godson reported from the Committee on Group K of Private Bills, That, for lack of business, the Committee had adjourned till Friday, at Eleven of the clock. Report to lie upon the Table 515

PETITIONS.

Cycles and Motor Cars and Motor Cycles—Petition from Depwade, for taxation; to lie upon the Table 516

Education of the Blind (Scotland) Bill—Petition from Edinburgh, in favour; to lie upon the Table 516

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Sale of Intoxicating Liquors on Sunday Bill—Petitions in favour, from Newcastle on-Tyne (two); Bothal; and Tynemouth (four); to lie upon the Table 516

Sale of Intoxicating Liquors to Children (No. 2) Bill—Petitions in favour, from Belfast; Hartshead; Margam; Westminster; Sheffield; Varteg; Aberavon; Deeping St. James; Peterborough; Helpston; Leicester (two); Warminster Common; Ampthill; Luton; Wheatley Hill; Thornley; Trimdon Grange; Wingate; Wellington; Bothal; Newcastle-on-Tyne (two); and Tynemouth (four); to lie upon the Table 516

Sale of Intoxicating Liquors to Children (Scotland) Bill—Petition from Largs, against; to lie upon the Table. Petitions in favour, from Glasgow; Old Monkland; Montrose; and Lerwick; to lie upon the Table 516

Sunday Closing (Monmouthshire) Bill—Petitions in favour, from Wingate; Trimdon Grange; Thornley; Wheatley Hill; Margam; Leeds (two); Salterforth; Leicester; Clifton; Newcastle on-Tyne (two); and Tynemouth (four); to lie upon the Table 516

Sunday Closing (Wales) Act (1881) Amendment Bill—Petition from Margam, in favour; to lie upon the Table 516

RETURNS, REPORTS, ETC.

KILRUSH HARBOUR (PROPOSED PROVISIONAL ORDER)—Return presented, relative thereto [ordered 3rd July; *Major Jameson*]; to lie upon the Table, and to be printed. [No. 249] 516

PROSECUTION OF OFFENCES ACTS, 1879 AND 1884—Return presented, relative thereto [Address 29th June; *Mr. Jesse Collings*]; to lie upon the Table, and to be printed. [No. 251] 517

PAPER LAID UPON THE TABLE BY THE CLERK OF THE HOUSE—Charitable Endowments (London).—Further Return relative thereto [ordered 2nd August, 1894; *Mr. Francis Stevenson*]; to be printed. [No. 252] ... 517

Electric Lighting Provisional Orders (No. 7) Bill—Copy ordered, "of Memorandum stating the nature of the Proposals contained in the Provisional Orders included in the Electric Lighting Provisional Orders (No. 7) Bill.—(*Mr Ritchie*) 517

Coal Mines (Prohibition of Child Labour Underground) Bill changed to "Mines (Prohibition of Child Labour Underground) Bill"—Lords Amendment to be considered upon Monday next, and to be printed. [Bill 282] 517

Land Registry (New Buildings) Bill—Ordered, That the Report (with Minutes of Proceedings) from the Select Committee on the Land Registry (New Buildings) Bill, laid upon the Table upon the 25th day of May last, be printed.—(*Mr. Akers Douglas.*) 517

Tithe Rent-Charge (Ireland) Bill—Considered in Committee.

[Mr. J. W. LOWTHER (Cumberland, Penrith) in the Chair.]

Clause 2 :—

Amendment proposed—

"In page 1, line 23, to leave out from the word 'Commission,' to the word 'shall,' in page 2, line 4, and insert the words 'having regard to the difference in prices affecting agriculture in counties, poor law unions, or other areas, between the fifteen years expiring on the first day of November next after the passing of this Act and the previous fifteen years.'"—(*Mr Clancy.*)

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Question proposed, "That the words proposed to be left out to the word 'and,' in page 2, line 4, stand part of the clause."

DISCUSSION :—

Mr. Daly (*Monaghan, S.*)... 522 *Mr. Dillon* (*Mayo. E.*) 526
The Chief Secretary for Ireland (*Mr. G. W. Balfour, Leeds, Central*) 523

Attention called to the fact that forty Members were not present (*Mr. Crilly, Mayo, N.*). House counted, and forty Members being found present,

DISCUSSION :—

Mr. Dillon... ... ... 526 *Mr. Flynn* (*Cork, N.*) 535
Serjt. Hemphill (*Tyrone, N.*) 528 *Mr. Caldwell* (*Lanarkshire, Mid*) 537
Mr. Jeffrey (*Hants, N.*) ... 534

Mr. G. W. BALFOUR rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

The Committee divided :—Ayes, 176 ; Noes, 108. (Division List No. 175.)

POINT OF ORDER.—*Mr. Swift MacNeill* (*Donegal, S.*) 539

Ruling.—*Mr. Chairman* 541

Question put accordingly, "That the words proposed to be left out to the word 'and,' in page 2, line 4, stand part of the clause."

The Committee divided :—Ayes, 185 ; Noes, 113. (Division List No. 176.)

Amendment proposed—

"In page 2, line 4, after the word 'rents,' to insert the words 'deducting in each case, where a judicial rent has been fixed, tho amount of the variation which was made in respect of improvements made by the tenants.'"—(*Mr. Dillon.*)

Question proposed, "That those words be there inserted."

DISCUSSION :—

Mr. G. W. Balfour ... 547 *Mr. Dillon* 550
Mr. T. P. O'Connor (*Liverpool, Scotland* ... .. 547 *Sir H. Campbell-Bannerman* (*Stirling Burghs*) 553
Mr. Murnaghan (*Tyrone, Mid*) 549 *Mr. Flynn* 556

Question put.

The Committee divided :—Ayes, 121 ; Noes, 198. (Division List No. 177.)

It being after half-past Five of the clock, the Chairman left the Chair to make his Report to the House.

Committee report Progress ; to sit again To-morrow.

Veterinary Surgeons Amendment Bill—Read the third time and passed 559

NEW BILLS.

RAILWAY AND CANAL TRAFFIC ACT (1888) AMENDMENT—Bill to amend the Railway and Canal Traffic Act, 1888, and to provide for the better carriage by rail of cycles, ordered to be brought in by Sir Howard Vincent, Mr. Gladstone, Mr. Butcher, Mr. Marks, Mr. Kimber, Mr. Thornton, and Mr. Lowe.

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Railway and Canal Traffic Act (1888) Amendment Bill—"To amend the Railway and Canal Traffic Act, 1888, and to provide for the better carriage by rail of cycles," presented accordingly, and read the first time; to be read a second time upon Monday, 16th of July, and to be printed. [Bill 283] 559

SELECTION (STANDING COMMITTEES) — Mr. HALSEY reported from the Committee of Selection: That they had discharged the following Member from the Standing Committee on Trade (including Agriculture and Fishing), Shipping, and Manufactures:—Mr. John Wilson (Durham); and had appointed in substitution: Sir James Woodhouse. Report to lie upon the Table 559

PUBLIC PETITIONS COMMITTEE—Eighth Report brought up, and read; to lie upon the Table, and to be printed 560

CHINA — ANTI-FOREIGN OUTBREAK — RECENT NEWS—On the Motion for Adjournment — Questions, Mr Asquith (Fifeshire, E.) and Mr. Patrick O'Brien (Kilkenny); Answers, The Under-Secretary of State for Foreign Affairs (Mr. Brodrick, Surrey, Guildford)... 560

Adjourned at ten minutes before Six of the clock.

LORDS: THURSDAY, 5TH JULY 1900.

ASHANTI—NATIVE RISING—INVESTMENT OF COOMASSIE—Question, The Earl of Camperdown; Answer, The Under-Secretary of State for the Colonies (The Earl of Selborne) 561

SAT FIRST—The Earl of Tankerville sat first in Parliament after the death of his father.

Thames and Severn Canal Provisional Order Bill—Moved, "That the Sessional Order of the 12th March last, 'That no Provisional Order Confirmation Bill originating in this House shall be read a first time after Tuesday, the first day of May next,' be dispensed with in respect of a Bill to confirm a Provisional Order made by the Board of Trade under Section 45 of the Railway and Canal Traffic Act, 1888, in the matter of the Thames and Severn Canal."—(*Lord Balfour of Burleigh.*)

The Earl of Camperdown ... 564 *Lord Balfour of Burleigh* ... 565
The Chairman of Committees (The Earl of Morley) ... 565

Motion (by leave of the House) withdrawn.

The LORD CHANCELLOR acquainted the House that the Clerk of the Parliaments had laid upon the Table the Certificates from the Examiners that the Standing Orders applicable to the following Bills have been complied with; Local Government (Ireland) Provisional Orders (Housing of Working Classes); Local Government Provisional Order (Housing of Working Classes); Local Government Provisional Orders (No. 11). The same were ordered to lie upon the Table 565

Bradford Corporation Bill—Report from the Select Committee, That the Committee had not proceeded with the consideration of the Bill, no parties having appeared in opposition thereto. The Orders made on the 21st June last and Monday last discharged, and Bill committed 565

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Aberdeen Police and Improvement Bill—London and South Western Railway Bill—South Eastern Metropolitan Tramways Bill—Report from the Select Committee, That the Committee had not proceeded with the consideration of the Bills, no parties having appeared in opposition thereto. The Orders made on the 19th June last and Monday last discharged, and Bill committed... 566

Tramways Orders Confirmation (No. 4) Bill [H.L.]—Reported from the Select Committee with Amendments, and committed to a Committee of the whole House To-morrow 566

Lee Conservancy Bill—Reported from the Select Committee with Amendments 566

Liverpool Corporation Bill—Reported with Amendments 566

Costa Rica Railway Company, Limited, Bill [H.L.]—Reported without Amendment 566

North Metropolitan Railway and Canal Bill—Reported from the Select Committee with Amendments 566

Land Registry (New Buildings) Bill—Reported without amendment, and committed to a Committee of the whole House To-morrow 567

Lancaster Corporation Bill—Report of Her Majesty's Attorney General received, and ordered to lie on the Table 567

Rochdale Corporation Bill; Oldham Corporation Bill; West Ham Corporation Bill—Moved, That the Order made on the 12th day of March last, "That no Private Bill brought from the House of Commons shall be read a second time after Tuesday, the 26th day of June next," be dispensed with, and that the Bills be now read 2ª; agreed to; and the Bills read 2ª accordingly 567

Rochdale Corporation Bill—Committed. The Committee to be proposed by the Committee of Selection 567

Oldham Corporation Bill—Committed 567

West Ham Corporation Bill—Committed. The Committee to be proposed by the Committee of Selection 567

Workington Railways and Docks Bill [H.L.]—Read 3ª; Amendments made; Bill passed and sent to the Commons 567

Airdrie, Coatbridge, and District Water Trust Bill; Airdrie and Coatbridge Tramways Bill; Brighton Corporation Bill—Read 3ª, with the Amendments, and passed, and returned to the Commons 567

Reading Corporation (Tramways) Bill; Wolverhampton Gas Bill—Read 3ª, with the Amendments; further Amendments made; Bills passed, and returned to the Commons 567

London County Tramways (No. 1) Bill; Newcastle-upon-Tyne Electric Supply Bill; Scarborough Corporation Bill—Brought from the Commons; read 1ª; and referred to the Examiners 567

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Local Government (Ireland) Provisional Orders (No. 2) Bill; Local Government Provisional Orders (No. 2) Bill; Hamilton Burgh Bill; Returned from the Commons with the Amendments agreed to 568

Wirral Railway Bill [H.L.]—Returned from the Commons agreed to, with Amendments 568

Local Government Provisional Orders (No. 1) Bill; Local Government Provisional Orders (No. 5) Bill; South Lancashire Tramways Bill; Rickmansworth and Uxbridge Valley Water Bill; West Bromwich Corporation Bill; Great Western Railway Bill; Halifax Corporation Bill; Huddersfield Corporation Tramways Bill; Blackpool, St. Anne's and Lytham Tramways Bill; Metropolitan District Railway Bill. Report from the Committee of Selection, That the following Lords be proposed to the House to form the Select Committee for the consideration of the said Bills, viz.:—M. Winchester; E. Romney; V. Portman (chairman); L. Tredegar; L. Monckton (*V. Galway*); agreed to; and the said Lords appointed accordingly. The Committee to meet on Monday next, at Eleven o'clock, and all petitions referred to the Committee, with leave to the petitioners praying to be heard by counsel against the Bills to be heard as desired, as also counsel for the Bills 568

Pier and Harbour Provisional Orders (No. 1) Bill—House in Committee (according to Order); Bill reported without amendment; Standing Committee negatived; and the Bill to be read 3ª To-morrow 568

Tramways Orders Confirmation (No. 2) Bill [H.L.]—Read 3ª (according to Order), and passed, and sent to the Commons 569

Local Government (Ireland) Provisional Orders (Housing of Working Classes) (No. 2) Bill [No. 165]; Local Government (Ireland) Provisional Orders (No. 3) Bill [No. 166]; Local Government (Ireland) Provisional Orders (No. 4) Bill [No. 167]; Local Government Provisional Orders (No. 10) Bill [No. 168]; Local Government Provisional Orders (No. 15) Bill [No. 169]; Tramways Provisional Orders (No. 5) Bill [No. 170]—Brought from the Commons; read 1ª; to be printed; and referred to the Examiners 569

RETURNS, REPORTS, ETC.

TREATY SERIES.—No. 12 (1900). Accession of the Republic of Uruguay to the Convention signed at Geneva 22nd August, 1864, for the amelioration of the condition of the wounded in armies in the field, 3rd May, 1900. No. 13 (1900). International Convention respecting the liquor traffic in Africa [signed at Brussels, 8th June, 1899]. Ratifications deposited at Brussels, 8th and 19th June, 1900 569

LIGHT RAILWAYS ACT, 1896 (HIGHBRIDGE, WEDMORE, AND CHEDDAR LIGHT RAILWAY ORDER, 1900)—Order made by the Light Railway Commissioners, and modified and confirmed by the Board of Trade, authorising the construction of light railways in the county of Somerset, between Highbridge, Wedmore, and Cheddar. Presented (by Command), and ordered to lie on the Table 569

SEA FISHERIES ACT, 1868 (ORDERS FOR FISHERY GRANTS, 1899–1900)—Report of the Board of Trade under Part III. of the Sea Fisheries Act, 1868. Laid before the House (pursuant to Act), and ordered to lie on the Table 569

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EDUCATION—Return respecting. Laid before the House (pursuant to Order of the 19th June last), and to be printed. (No. 163) 570

Copyright Bill [H.L.]; Copyright (Artistic) Bill [H.L.]—Leave given to the Select Committee to report from time to time 570

Copyright Bill [H.L.]—Reported from the Select Committee with Amendments, and committed to a Committee of the whole House, and to be printed as amended. (No. 162) 570

Railways (Prevention of Accidents) Bill—House in Committee (according to Order).

Clauses 1 to 9 agreed to.

Clause 10:—

Lord De Ramsey ... ... 570 *Lord James of Hereford*... ... 570

Clauses 10 to 13 agreed to.

Clause 14:—

Lord Avebury 570

Clause 14 agreed to.

Bill reported, without amendment, and re-committed to the Standing Committee.

Ecclesiastical Assessments (Scotland) Bill—House in Committee (according to Order); Bill reported without amendment; and re-committed to the Standing Committee 571

Workmen's Compensation Act (1897) Extension Bill [SECOND READING]—Order of the Day for the Second Reading read.

Moved, "That the Bill be now read a second time."—(*Viscount Cross.*)

DISCUSSION:—

The Earl of Kimberley ... 573 *Lord Stanley of Alderley* ... 576
The Earl of Camperdown ... 574 *The Lord Privy Seal (Viscount Cross)*... 576
Lord Windsor 575

On Question, agreed to. Bill read 2ª accordingly, and committed to a Committee of the whole House To-morrow.

Imitation of County Court Process Bill [H.L.]—House in Committee (according to Order). Bill reported without amendment; and re-committed to the Standing Committee 577

District Councillors and Guardians (Term of Office) Bill—House in Committee (according to Order). Bill reported without amendment; Standing Committee negatived; and Bill to be read 3ª To-morrow ... 577

Commonwealth of Australia Constitution Bill [THIRD READING]—Order of the Day for the Third Reading read.

Moved, "That the Bill be now read a third time."—(*The Earl of Selborne.*)

DISCUSSION:—

Lord Stanmore ... ... 577 *The Lord Chancellor (The Earl of Halsbury)* 585
The Earl of Selborne ... 579 *Lord Morris* 586
The Earl of Kimberley ... 583 *Lord Alverstone*... 588

On Question, agreed to. Bill read 3ª accordingly, and passed.

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Marriage Act Amendment Bill [H.L.]—Amendments reported (according to order) 591

Union of Benefices Act, 1860, Amendment Bill [H.L.]—[THIRD READING]—Order of the Day for the Third Reading read.

Moved, "That the Bill be now read the third time."—(*The Lord Archbishop of Canterbury.*)

The Duke of Northumberland 591 *The Lord Archbishop of Canterbury* 592

On Question, agreed to. Bill read 3ª accordingly, and passed, and sent to the Commons.

QUEEN ANNE'S BOUNTY BOARD—Moved, "That the Lords following be named of the Committee to join with a Committee of the House of Commons to consider the constitution of Queen Anne's Bounty Board, and to report whether economy and efficiency of administration would be promoted by any change in its constitution or by its amalgamation with any other body, viz.:—L. Privy Seal (*V. Cross*), E. Aberdeen, L. Bp. London, L. Barnard, L. Ashcombe. That such Committee have power to agree with the Committee of the House of Commons in the appointment of a Chairman."—(*Earl Waldegrave.*)

DISCUSSION :—

Lord Stanley of Alderley ... 593 *The Prime Minister and Secretary of State for Foreign Affairs* (*The Marquess of Salisbury*) ... 594
The Earl of Halsbury 594

On Question, agreed to.

Ordered, That such Committee have power to agree with the Committee of the House of Commons in the appointment of a Chairman.

Veterinary Surgeons Amendment Bill—Brought from the Commons, read 1ª, and to be printed. (No. 164) 595

SOUTH AFRICAN WAR—HOSPITAL AND MEDICAL ARRANGEMENTS—MR BURDETT-COUTTS'S CHARGES—COMMITTEE OF INQUIRY—Question, The Earl of Kimberley; Answer, The Secretary of State for War (The Marquess of Lansdowne) 595

House adjourned at Twenty-five minutes before Seven of the clock.

COMMONS: THURSDAY, 5TH JULY, 1900.

Spalding Urban District Council (Water Bill) (by Order)—Lords Amendments considered. Amendments as far as the Amendment in page 6, line 21, agreed to. Page 6, line 21, to leave out from "1889," to the end of Clause 9, the next Amendment, read a second time.

Motion made, and Question proposed, "That this House doth agree with the Lords in the said Amendment."—(*Mr. Caldwell.*)

DISCUSSION :—

Sir Albert Rollit (*Islington, S.*) 597
Mr. Reckitt (*Lincolnshire, Brigg*) 598
Mr. Pollock (*Lincolnshire, Spalding*) 599
Mr. Gibson Bowles (*Lynn Regis*) 600
The Chairman of Committees (*Mr. J. W. Lowther, Cumberland, Penrith*) 600

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Motion made, and Question proposed, "That the debate be now adjourned."—(*Sir Henry Fowler.*)

Mr. J. W. Lowther 602

Question put, and agreed to.

Debate to be resumed upon Thursday next.

London County Tramways (No. 1) Bill (by Order)—Order for consideration, as amended, read.

Motion made, and Question proposed, "That the Bill, as Amended, be now considered."

Amendment proposed—

"To leave out the word 'Bill,' to the end of the Question, and add the words 'be re-committed to the former Committee on the Bill,' instead thereof."—(*Mr. Kimber.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

Discussion:—

Mr. Thornton (*Clapham*) ... 606
Mr. Stuart (*Shoreditch, Hoxton*) 607
Mr. John Burns (*Battersea*) 608
Mr. Holland (*Yorkshire, W.R., Rotherham*) 610
Mr. Purvis (*Peterborough*) ... 611

Amendment, by leave, withdrawn.

Main question put, and agreed to.

Bill, as amended, considered.

Ordered, That Standing Orders 223 and 243 be suspended, and that the Bill be now read the third time.—(*Mr. Caldwell.*)

Prince of Wales' consent signified.

Bill read the third time, and passed.

Taunton Corporation Bill (By Order)—Ordered, That in the case of the Taunton Corporation Bill Standing Order 243 be suspended, and that the Bill be now read the third time."—(*Mr. Caldwell.*)

Bill accordingly read the third time, and passed 611

Private Bills [Lords] (Standing Orders not previously inquired into complied with)—Mr. Speaker laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That in the case of the following Bill, orginating in the Lords, and referred on the First Reading thereof, the Standing Orders not previously inquired into, and which are applicable thereto, have been complied with, viz.:—Glasgow District Tramways Bill [Lords]. Ordered, That the Bill be read a second time ... 612

Provisional Order Bills [Lords] (Standing Orders applicable thereto complied with)—Mr. Speaker laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That in the case of the following Bill, originating in the Lords, and referred on the First Reading thereof, the Standing Orders which are applicable thereto have been complied with, viz.:—Water Orders Confirmation Bill [Lords]. Ordered, That the Bill be read a second time to-morrow 612

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PRIVATE BILLS [Lords] (STANDING ORDERS NOT PREVIOUSLY INQUIRED INTO NOT COMPLIED WITH)—Mr. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bill, originating in the Lords, and referred on the First Reading thereof, the Standing Orders not previously inquired into, and which are applicable thereto, have not been complied with, viz. :—South Eastern and London, Chatham, and Dover Railways Bill [Lords]. Ordered, That the Report be referred to the Select Committee on Standing Orders 612

North Warwickshire Water Bill; Widness and Runcorn Bridge Bill. Lords Amendments considered, and agreed to 612

Lincoln Corporation (Tramways) Bill [Lords]. Read the third time, and passed, with Amendments 612

Sheffield District Railway Bill [Lords]—Read the third time, and passed, with Amendments 613

Cork Electric Tramways Bill [Lords]—As amended, considered; to be read the third time 613

RAILWAY BILLS (GROUP 8)—Ordered, That Alexander Findlay, J.P., do attend the Committee on Group 8 of Railway Bills To-morrow at half-past Eleven of the clock 613

RAILWAY BILLS (GROUP 8)—Ordered, that James Dunlop, Robert Park, and Archibald King, do attend the Committee on Group 8 of Railway Bills To-morrow, at half-past Eleven of the clock 613

RAILWAY BILLS (GROUP 8)—Sir LEWIS MCIVER reported from the Committee on Group 8 of Railway Bills, That Mr. Samuel Woods, one of the Members of the said Committee, was not present during the sitting of the Committee this day. Ordered, That Mr. Samuel Woods do attend Group 8 of Railway Bills To-morrow, at half-past Eleven of the clock. Report to lie upon the Table... 613

PRIVATE BILLS (GROUP D)—Mr. A. HARGREAVES BROWN reported from the Committee on Group D of Private Bills, That, for the convenience of parties, they had adjourned till Monday next, at Twelve of the clock. Report to lie upon the Table 614

PRIVATE BILLS (GROUP J)—Colonel GUNTER reported from the Committee on Group J of Private Bills, That, to meet the convenience of the parties, the Committee had adjourned till Monday next at half-past Eleven of the clock. Report to lie upon the Table 614

Southport Corporation Bill—Reported from the Select Committee on Police and Sanitary Regulations Bills (Section B), with Amendments; Report to lie upon the Table, and to be printed 614

MESSAGE FROM THE LORDS—That they have agreed to—British Gas Light Company (Staffordshire Potteries) Bill, without amendment.

That they have agreed to—Latimer Road and Acton Railway Bill, with an Amendment.

That they have agreed to amendments to—Glasgow and South Western Railway Bill [Lords], South Eastern Railway Bill [Lords], without amendment.

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That they have passed a Bill intituled, "An Act to incorporate a company and authorise them to acquire the Workington Harbour and Lonsdale Dock undertaking, in the county of Cumberland, and to construct a dock, railways, and works at Workington; and for other purposes." Workington Railways and Docks Bill [Lords] 614

Workington Railways and Docks Bill [Lords]—Read the first time; and referred to the Examiners of Petitions for Private Bills 614

PETITIONS.

Licensing (Sale of Intoxicating Liquors)—Petition from Haverfordwest, for alteration of Law; to lie upon the Table 615

Sale of Intoxicating Liquors to Children (No. 2) Bill—Petitions in favour, from Danesmoor, and Briercliffe; to lie upon the Table 615

Sunday Closing (Monmouthshire) Bill—Petitions in favour, from Turvey; Danesmoor; and Bedford; to lie upon the Table 615

RETURNS, REPORTS, ETC.

Local Taxation Licences, 1899–1900—Return presented, relative thereto [ordered 15th June; *Mr. T. W. Russell*]; to lie upon the Table, and to be printed. [No. 254] 615

Light Railways Act, 1896—Copy presented, of Order made by the Light Railway Commissioners, and modified and confirmed by the Board of Trade, authorising the construction of Light Railways in the county of Somerset, between Highbridge, Wedmore, and Cheddar (Highbridge, Wedmore, and Cheddar Light Railway Order, 1900) [by Command]; to lie upon the Table 615

Marine Engineers—Return presented, relative thereto [ordered 25th May; *Sir Fortescue Flannery*]; to lie upon the Table, and to be printed. [No. 255] 615

Electric Lighting Provisional Orders (No. 7) Bill—Return presented, relative thereto [ordered 4th July; *Mr. Ritchie*]; to lie upon the Table, and to be printed. [No. 256] 615

Sea Fisheries Act, 1868—Copy presented, of Report of the Board of Trade under Part III. of the Act. Orders for Fishery Grants, 1899–1900 [by Act]; to lie upon the Table, and to be printed. [No. 257] 615

Irish Land Commission—Return presented, relative thereto [ordered 18th May; *Mr. Patrick O'Brien*]; to lie upon the Table, and to be printed. [No. 258] 616

Army Special Pensions—Copy presented, of Return for the year ended 31st March, 1900, of Pensions specially granted under Articles 730, 1170, and 1207 of the Army Pay Warrant [by Command]; to lie upon the Table 616

South Africa (Unwounded Soldiers Dead or Invalided Home)—Return presented, relative thereto [Address 18th May; *Mr. Thomas Bailey*]; to lie upon the Table 616

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Tramways Orders Confirmation (No. 1) Bill—Copy ordered, "of Memorandum stating the nature of the Proposals contained in the Provisional Orders included in the Tramways Orders Confirmation (No. 1) Bill."—(*Mr. Ritchie*) 616

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IRISH CONGESTED DISTRICTS BOARD—REPRESENTATION OF COUNTY KERRY—Questions, Sir Thomas Esmonde and Captain Donelan; Answer, Mr. Plunkett 645

POTATO BLIGHT—Question, Captain Donelan; Answer, Mr. Plunkett 645

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HOUSE OF LORDS CLERKSHIPS—Question, Mr. Gibson Bowles; Answer, Mr. A. J. Balfour 646

WELSH SUNDAY CLOSING BILL—Questions, Mr. Maclean and Mr. Alfred Thomas (Glamorganshire, E.); Answers, Mr. A. J. Balfour 646

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PUBLIC BUSINESS.

Military Manœuvres Bill [Lords]—Ordered, That the Examiners of Petitions for Private Bills do examine the Military Manœuvres Bill [Lords], with respect to compliance with the Standing Orders relative to Private Bills—(*Mr Wyndham*) 647

SEIGE OF LADYSMITH—DISAPPEARANCE OF STORES—SIR C. DILKE AND SIR W. STOKES—PERSONAL EXPLANATION.

Sir C. Dilke (*Gloucestershire, Forest of Dean*) 648

SOUTH AFRICAN WAR—HOSPITAL AND MEDICAL ARRANGEMENTS—MR. BURDETT-COUTTS'S CHARGES—COMMITTEE OF INQUIRY—[Motion for Adjournment]—Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Labouchere.*)

DISCUSSION :—

Mr. Burdett-Coutts (*Westminster*) 652
Sir H. Campbell-Bannerman (*Stirling Burghs*) ... 655
Sir J. Fergusson (*Manchester, N.E.*) 657
The First Lord of the Treasury (*Mr. A. J. Balfour, Manchester, E.*) ... 658
Mr. Asquith (*Fifeshire, E.*) ... 663
Col. Saunderson (*Armagh, Mid*) 666
Captain Norton (*Newington, W.*) 668
Sir Mark Stewart (*Kirkcudbrightshire*)... 669
Mr. Arnold Foster (*Belfast, W.*) 669
Dr. Farquharson (*Aberdeenshire, W.*) 672

Motion, by leave, withdrawn.

MESSAGE FROM THE LORDS—That they have agreed to the Ancient Monuments Protection Bill, with Amendments 673

Ancient Monuments Protection Bill—Lords Amendments to be considered upon Monday next, and to be printed. [Bill 284] 673

Tithe Rent-Charge (Ireland) Bill—Considered in Committee.

[Mr. J. W. LOWTHER (Cumberland, Penrith) in the Chair.]

Clause 2 :—

Amendment proposed—

"In page 2, line 6, to leave out Sub-section 2."—(*Mr. Edmund Robertson.*)

Question proposed, "That Sub-section 2 stand part of the clause."

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DISCUSSION :—

The Chief Secretary for Ireland (Mr. G. W. Balfour, Leeds, Central) ... 674
Mr. T. P. O'Connor (Liverpool, Scotland) 674
Mr. Archdale (Fermanagh, N.) 678
Mr. Flynn (Cork, N.) 679
Mr. Dillon (Mayo, E.) 680
Mr. Power (Waterford, E.) ... 682
Mr. Murnaghan (Tyrone, Mid)... 683

Question put.

The Committee divided :—Ayes, 142 ; Noes 75. (Division List No. 178.)

Amendment proposed—

"In page 2, line 24, at the end, to add the words, '(7) The Land Commission may at any time amend or vary any certificate made under this section, and the certificate when so amended or varied shall have effect accordingly.'" (*Mr. Clancy.*)

Question proposed, "That those words be there added."

DISCUSSION :—

Mr. G. W. Balfour ... 687
Mr. Clancy (Dublin County, N.) 687
Mr. Dillon... 687
The Attorney General for Ireland (Mr. Atkinson, Londonderry, N.) 689
Mr. William Moore (Antrim, N.) 689
Mr. Flynn 690
Mr. Doogan (Tyrone, E.) ... 692

Question put.

The Committee divided : — Ayes, 67 ; Noes, 122. (Division List No. 179.)

Attention called to the fact that forty Members were not present (*Dr. Tanner, Cork Co., Mid*). House counted, and forty Members being found present,

Motion made, and question proposed, "That the clause be omitted."—(*Mr. Murnaghan.*)

DISCUSSION :—

Mr. Flynn 696
Mr. Daly (Monaghan, S.)... 699
Mr. Doogan 700
Mr. Power 702
Mr. Dillon 703

Question put.

The Committee divided :—Ayes, 158 ; Noes, 82. (Division List No. 180.)

Clause 3 :—

Amendment proposed—

"In page 2, line 26, after the word 'Act,' to insert the words 'on the application of any person who, if this Act had not been passed, would have been entitled to obtain a variation of any tithe rent-charge.'"—(*Mr. Clancy.*)

Question proposed, "That those words be there inserted."

Mr. G. W. Balfour ... 709
Mr. Swift MacNeill (Donegal, S.) 710

Question put.

The Committee divided :—Ayes, 90 ; Noes, 170. (Division List No .181.)

Amendment proposed—

"In page 2, line 28, after the word 'payable,' to insert the words 'otherwise than to the Land Commission.'"—(*Mr. Dillon.*)

Question proposed, "That those words be there inserted."

Mr. G. W. Balfour... ... 716 *Mr. T. P. O'Connor* 720
Serjt. Hemphill (*Tyrone, N.*) 717

It being after Midnight, the Chairman left the Chair to make his Report to the House.

Committee report Progress; to sit again upon Monday next.

Post Office Sites (Re-committed) Bill—Considered in Committee. 723

(In the Committee.)

[Mr. J. W. LOWTHER (Cumberland, Penrith) in the Chair.]

Clause 1:—

Dr. Tanner (*Cork Co., Mid*) 723 *Mr. Caldwell* (*Lanarkshire, Mid*) 724
The Financial Secretary to the Treasury (*Mr. Hanbury, Preston*) 724

Adjourned at ten minutes after Twelve of the clock.

LORDS: FRIDAY, 6TH JULY, 1900.

PRIVATE BILL BUSINESS.

The LORD CHANCELLOR acquainted the House that the Clerk of the Parliaments had laid upon the Table the Certificates from the Examiners that the further Standing Orders applicable to the following Bills have been complied with:—Bray Urban District Council; Cumberland County Council (Bridges). Also the Certificate that the further Standing Orders applicable to the following Bill have not been complied with:—Bray and Enniskerry Railway. And also the Certificate that the Standing Orders applicable to the following Bill have been complied with:—Electric Lighting Provisional Orders (No. 12). The same were ordered to lie upon the Table 725

Wirral Railway Bill [H.L.]—Commons Amendments considered and agreed to 725

Jarrow and Hebburn Electricity Supply Bill—Reported with Amendments 725

Nottingham Corporation Bill—Reported with Amendments 725

Roe's Patent Bill [H.L.]—Reported with Amendments 725

Crystal Palace Company Bill [H.L.]—Read 3ª; Amendments made; Bill passed, and sent to the Commons 725

Taunton Corporation Bill—Brought from the Commons; read 1ª; and referred to the Examiners 725

City of London Electric Lighting Bill; Lancashire and Yorkshire Railway Bill; North Warwickshire Water Bill; Widnes and Runcorn Bridge Bill. Returned from the Commons with the Amendments agreed to 725

Woodbridge District Water Bill—Returned from the Commons with the Amendments agreed to 726

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East Stirlingshire Water Bill [H.L.]; Lincoln Corporation (Tramways) Bill [H.L.]; Sheffield District Railway Bill [H.L.]—Returned from the Commons agreed to, with Amendments. The said Amendments considered, and agreed to 726

Great Yarmouth Port and Haven Bill—Returned from the Commons with the Amendments agreed to, with Amendments 726

Tramways Orders Confirmation (No. 4) Bill [H.L.]—House in Committee (according to Order). The Amendments proposed by the Select Committee made; further Amendments made; Standing Committee negatived. The Report of Amendments to be received on Monday next 726

Gas Provisional Orders (No. 3) Bill—House in Committee (according to Order). An Amendment made; Standing Committee negatived. The Report of Amendment to be received on Monday next 726

Pier and Harbour Provisional Orders (No. 1) Bill—Read 3ª (according to Order), and passed 726

Lambeth Water Bill; Mid Kent Water Bill; Portland Urban District Gas Bill; Wandsworth and Putney Gas Bill; South Metropolitan Gas Bill; London and North Western Railway Bill; London and North Western Railway (Wales) Bill; London County Council (Improvements) Bill—Report from the Committee of Selection, That the following Lords be proposed to the House to form the Select Committee for the consideration of the said Bills, viz.:—M. Zetland, E. Denbigh, E. Mayo, L. Plunket, L. Brougham and Vaux (Chairman); agreed to; and the said Lords appointed accordingly. The Committee to meet on Tuesday next, at Eleven o'clock; and all Petitions referred to the Committee, with leave to the petitioners praying to be heard by counsel against the Bills to be heard as desired, as also counsel for the Bills 726

RETURNS, REPORTS, ETC.

PUBLIC HEALTH (IRELAND) ACT, 1878—1. Report of the Committee appointed by the Local Government Board for Ireland to inquire into the public health of the City of Dublin. 2. Minutes of Evidence taken before the Committee 727

ARMY—1. (Special Pensions)—Return for the year ended 31st March, 1900, of pensions specially granted under Articles 730, 1170, and 1207 of the Army Pay Warrant. 2. (Volunteers)—Proposed Regulations under the Volunteers Bill now before Parliament as to special engagements by members of Volunteer corps. Presented (by Command), and ordered to lie on the Table 727

POLLING DISTRICTS (ADMINISTRATIVE COUNTY OF LONDON)—Orders made by the London County Council dividing the Parliamentary Boroughs of Camberwell (Dulwich Division), Wandsworth, Hackney (North Division), and Finsbury (Central Division), into convenient polling districts. Laid before the House (pursuant to Act), and ordered to lie on the Table ... 727

QUEEN ANNE'S BOUNTY BOARD—A Message ordered to be sent to the House of Commons to propose that the Joint Committee do meet in Committee Room 1A, on Monday next, at half-past Three o'clock 727

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LATER—Message from the Commons that they have ordered that the Committee appointed by them to join with the Committee of this House to consider the constitution of Queen Anne's Bounty Board to meet the Lords' Committee in Committee Room 1A on Monday next, at half-past Three o'clock, as proposed by their Lordships 727

IRISH LAND—CLAIMS OF IRISH LANDLORDS—PROPOSED ROYAL COMMISSION—[Resolution].

Moved to resolve, That as the claim of Irish landlords to compensation or redress from the State has been on several recent occasions placed before Parliament, and as its justice has never been seriously disputed, a Royal Commission be immediately appointed to consider and report (*inter alia*)—(1) As to the nature and extent of the injury which Irish landowners have suffered by legislation since 1881; and (2) As to the best means of affording compensation or redress for the injury so inflicted upon them, having regard to the assurances given in Parliament in and since 1881 by members of successive Governments, or of the Legislature, that if Irish landowners were found to have suffered loss or injury from Irish land legislation it would be the duty of Parliament to compensate them.—(*The Viscount Templetown.*)

DISCUSSION :—

The Lord President of the Council (The Duke of Devonshire) 739
Lord Clonbrock 748
The Duke of Abercorn 753
The Earl of Mayo 754
The Lord Chancellor of Ireland (Lord Ashbourne) 757

On Question, their Lordships divided :—Contents, 62; Not-Contents, 59.

Cremation Bill [H.L.]—Order of the Day read for receiving Report of Amendments.

DISCUSSION :—

Lord Monkswell 759
The Chairman of Committee (The Earl of Morley) ... 760
Lord Belper 761
Lord Monkswell 762

Bill to be read 3ª on Monday next.

Burial Grounds Bill – Read 3ª (according to Order), and passed 763

Land Registry (New Buildings) Bill—House in Committee (according to Order); Bill reported without amendment; Standing Committee negatived; and Bill to be read 3ª on Monday next 763

Workmen's Compensation Act (1897) Extension Bill—House in Committee (according to Order).

Clause 1 :—

DISCUSSION :—

The Earl of Kimberley ... 763
The Lord Privy Seal (Viscount Cross) 763
Lord Alverstone 764
Lord Herries 765
Lord Heneage 765

Amendment moved—

"In page 1, line 15, after the word 'machinery,' to insert the words 'driven by mechanical power.'"—(*Viscount Cross.*)

Amendment agreed to.

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DISCUSSION:—

The Earl of Kimberley ... 767 *The Earl of Kimberley* 769
Lord Alverstone ... ... 768 *Lord Alverstone* 769
Lord Burghclere 768

Amendment agreed to. Bill re-committed to the Standing Committee; and to be printed as amended. (No. 171.)

District Councillors and Guardians (Term of Office) Bill—Read 3ª (according to Order), and passed 769

House adjourned at a quarter past Seven of the clock, to Monday.

COMMONS: FRIDAY, 6TH JULY, 1900.

PRIVATE BILL BUSINESS.

PRIVATE BILLS [Lords] (STANDING ORDERS NOT PREVIOUSLY INQUIRED INTO COMPLIED WITH)—Mr. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bill, originating in the Lords, and referred on the First Reading thereof, the Standing Orders not previously inquired into, and which are applicable thereto, have been complied with, viz.:—Bexhill and Rotherfield Railway Bill [Lords].

Ordered, That the Bill be read a second time 770

City of London Electric Lighting Bill—Lords Amendments considered, and agreed to 770

Great Yarmouth Port and Haven Bill—Lords Amendments considered, and agreed to, with Amendments 770

Lancashire and Yorkshire Railway Bill—Woodbridge District Water Bill—Lords Amendments considered, and agreed to 770

East Stirlingshire Water Bill [Lords]—Read the third time, and passed, with Amendments 770

Burnley Corporation Bill [Lords]—As amended, considered; to be read the third time 771

Edinburgh District Lunacy Board Bill [Lords]—As amended, considered; Amendments made; Bill to be read the third time 771

Water Orders Confirmation Bill [Lords]—Read a second time, and committed 771

London (Southwark) Provisional Order Bill—Reported, with Amendments [Provisional Order confirmed]; Report to lie upon the Table.

Bill, as amended, to be considered upon Monday next 771

London (St. Luke) Provisional Order Bill—Reported, with Amendments [Provisional Order confirmed]; Report to lie upon the Table. Bill, as amended, to be considered upon Monday next 771

Aston Manor Tramways Bill [Lords]—Reported, with Amendments; Report to lie upon the Table, and to be printed 771

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Local Government Provisional Orders (No. 12) Bill—Reported, with Amendments [Provisional Orders confirmed]; Report to lie upon the Table. Bill, as amended, to be considered upon Monday next 771

Local Government Provisional Orders (No. 14) Bill—Reported, with Amendments [Provisional Orders confirmed]; Report to lie upon the Table. Bill, as amended, to be considered upon Monday next 771

Great Indian Peninsula Railway Company Bill—Reported, with Amendments; Report to lie upon the Table, and to be printed 771

MESSAGE FROM THE LORDS—That they have agreed to—Airdrie and Coatbridge Tramways Bill; Airdrie, Coatbridge, and District Water Trust Bill; Brighton Corporation Bill; Reading Corporation (Tramways) Bill; and Wolverhampton Gas Bill, with Amendments.

That they have passed a Bill intituled, "An Act to confirm certain Provisional Orders made by the Board of Trade under the Tramways Act, 1870, relating to Bedford Corporation Tramways, Bootle Corporation Tramways, Radcliffe Urban District Council Tramways, St. Helens Corporation Tramways and Warwick Tramways. Tramways Orders Confirmation (No. 2) Bill [Lords].

Also a Bill intituled, "An Act to provide for the conversion of the capital stocks of the Crystal Palace Company into shares; and to empower them to raise additional capital; and for other purposes. Crystal Palace Company Bill [Lords]... 771

Tramways Orders Confirmation (No. 2) Bill [Lords]—Read the first time; referred to the Examiners of Petitions for Private Bills, and to be printed. [Bill 287] 772

Crystal Palace Company Bill [Lords]—Read the first time; and referred to the Examiners of Petitions for Private Bills 772

PETITIONS.

Education (Scotland) Bill—Petition from Kirkcaldy, against; to lie upon the Table 772

Factories and Workshops Bill—Petition from Aberdeen, against; to lie upon the Table 772

Sale of Intoxicating Liquors to Children (No. 2) Bill—Petitions in favour, from Pickering (three); Helmsley; Fartown; Kirby Moorside; Sheepbridge; Gilling; Whitby; Settle; Carlisle; Patrington; Keynsham; London; Birmingham; Thornton (two); Tamworth; Atherstone; Polesworth; Chester; and Forest Hill; to lie upon the Table 772

Sale of Intoxicating Liquors to Children (Scotland) Bill—Petition from Kirkcaldy, in favour; to lie upon the Table 772

Sunday Closing (Monmouthshire) Bill—Petitions in favour, from Fartown; Pickering (two); Kirby Moorside; Whitby; Sheepbridge; Gilling; Gorbal's Cross; Farsley; Honiton; Keighley; Thornton; Birmingham; Glasgow; Chester (two); and St. Ives (two); to lie upon the Table ... 773

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RETURNS, REPORTS, ETC.

HIGH COURT OF JUSTICE (CLERKS)—Return [presented 3rd July] to be printed. [No. 259] 773

POLLING DISTRICTS (LONDON)—Copy presented, of Orders made by the London County Council dividing the Parliamentary Boroughs of Camberwell (Dulwich Division), Wandsworth, Hackney (North Division), and Finsbury (Central Division), into convenient Polling Districts [by Act]; to lie upon the Table 773

PUBLIC HEALTH (DUBLIN) (COMMITTEE)—Copy presented, of Report of the Committee appointed by the Local Government Board for Ireland to inquire into the Public Health of the City of Dublin [by Command]; to lie upon the Table.

Copy presented, of Minutes of Evidence taken before the Committee appointed by the Local Government Board for Ireland to inquire into the Public Health of the City of Dublin [by Command]; to lie upon the Table 773

Tramways Orders Confirmation (No. 1) Bill—Return presented, relative thereto [ordered 5th July; *Mr. Ritchie*]; to lie upon the Table, and to be printed. [No. 260] 773

TREATY SERIES (No. 12, 1900) - Copy presented, of Accession of the Republic of Uruguay to the Convention signed at Geneva, 22nd August, 1864, for the Amelioration of the Condition of the Wounded in Armies in the Field, 3rd May, 1900 [by Command]; to lie upon the Table 773

TREATY SERIES (No. 13, 1900)—Copy presented, of International Convention respecting the Liquor Traffic in Africa. Signed at Brussels, 8th June, 1899. Ratifications deposited at Brussels 8th and 19th June, 1900 [by Command]; to lie upon the Table 773

PAPER LAID UPON THE TABLE BY THE CLERK OF THE HOUSE—Caledonian Canal—Copy of Ninety-fifth Report of the Commissioners [by Act]; to be printed. [No. 261] 774

PRISON OFFICERS (PENSIONS)—Address for "Return showing the practice of the late Prison authorities in England and Wales in granting Pensions to Prison Officers under Section 15 of the Prison Act, 1865, in the following form:—

Name of Prison.	Prison authority.	Particulars.

—(*Mr. John Hutton*) 774

SHEBEENS IN TOWNS (IRELAND)—Return ordered "of the number of prosecutions for Shebeening, the number of convictions obtained, the number of Clubs in which intoxicating liquors are sold, and the number of convictions for Shebeening where imprisonment was imposed as a penalty, in each of the cities of Belfast, Dublin, Cork, Limerick, and Waterford, during the period from the 1st day of January, 1898, till the 31st day of May, 1900."—(*Mr. Macaleese*) 774

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QUESTIONS.

China—Anti-Foreign Outbreak—Japanese Help in Suppressing Disturbances—Questions, Sir E. Ashmead-Bartlett (Sheffield, Ecclesall) and Mr. T. P. O'Connor (Liverpool, Scotland); Answers, The Under-Secretary of State for Foreign Affairs (Mr. Brodrick, Surrey, Guildford) 774

Recent News—Question, Sir H. Campbell-Bannerman (Stirling Burghs); Answer, Mr. Brodrick 775

Papers on China—Question, Mr. Channing (Northamptonshire, E.); Answer, Mr. Brodrick 775

Naval Officers and Foreign Languages—Question, Sir J. Colomb (Great Yarmouth); Answer, The Civil Lord of the Admiralty (Mr. Austen Chamberlain, Worcestershire, E.) 775

Suggested Negotiation for Peace in South Africa in view of Chinese Complications—Question, Mr. Patrick O'Brien (Kilkenny); Answer, The First Lord of the Treasury (Mr. A. J. Balfour, Manchester, E.) ... 776

South African War—Stores Borrowed by Army from Navy—Question, Mr. Edmund Robertson (Dundee); Answer, Mr. A. J. Balfour 776

Court-Martial Administration—Question, Sir H. Campbell-Bannerman; [Question postponed] 776

Imperial Yeomanry Prisoners with the Boers—Question, Mr. Kimber (Wandsworth); Answer, The Under-Secretary of State for War (Mr. Wyndham, Dover) 777

Roodeval Engagement 7th June—Capture of the Derbyshire Battalion—Question, Mr. Swift MacNeill (Donegal, S.); Answer, Mr. Wyndham 778

Roodeval Engagement—Responsibility for the Disaster—Question, Mr. Swift MacNeill; Answer, Mr. Wyndham 778

General Colville—Question, Mr. Swift MacNeill; Answer, Mr. Wyndham 779

Orange River Colony and Penny Postage—Question Mr. Evelyn Cecil (Hertfordshire, Hertford); Answer, The Financial Secretary to the Treasury (Mr. Hanbury, Preston) 779

Patriotic Fund—Widows' Allowances—Question, Mr. Galloway (Manchester, S.W.); Answer, Mr. A. J. Balfour 779

Under Age Recruits—Case of Patrick Walsh—Question, Mr. Flavin (Kerry, N.); Answer, Mr. Wyndham 780

London Telegraphist Volunteers—Camp Leave—Question, Mr. Weir (Ross and Cromarty); Answer, Mr. Hanbury 782

International Fisheries Conference at Stockholm—Question, Capt. Sinclair (Forfarshire); Answer, Mr. Brodrick 782

British Sea Fisheries—Anadromous Fishes—Questions, Mr. Gibson Bowles (Lynn Regis) and Mr. Flynn (Cork, N.); Answers, The President of the Board of Trade (Mr. Ritchie, Croydon) 783

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POSTAL EMPLOYEES AND CITIZENS' RIGHTS—Question, Mr. Steadman (Tower Hamlets, Stepney); Answer, Mr. Hanbury 785

DELAY OF AUSTRALIAN MAILS—Question, Mr. Henniker Heaton (Canterbury); Answer, Mr. Hanbury 786

ESTATE DUTY IN SCOTLAND—Question, Mr. Crombie (Kincardineshire); Answer, The Chancellor of the Exchequer (Sir M. Hicks-Beach, Bristol, W.) 786

POSTAL FACILITIES IN SCOTTISH CONGESTED DISTRICTS—Question, Mr. Weir; Answer, Mr. Hanbury 787

HIGHLAND LINE FISHING INDUSTRY—Question, Mr. Weir; Answer, The Lord Advocate (Mr. A. Graham Murray, Buteshire) 787

STORNOWAY COMMISSIONERS' EDUCATION MEMORIAL—Question, Mr. Weir; Answer, Mr. A. Graham Murray 788

POTATO-GROWING IN SCOTLAND — Questions, Mr. Weir and Mr. Austin (Limerick, W.); Answers, Mr. A. Graham Murray 788

SCOTTISH FISHERY CRUISER—Question, Mr. Weir; Answer, Mr. A. Graham Murray 789

DUBLIN SORTING OFFICE DUTIES—Question, Mr. Steadman; Answer, Mr. Hanbury 789

COOTEHILL (CAVAN) POST OFFICE—Question, Mr. Samuel Young (Cavan, E.); Answer, Mr. Hanbury 790

ROCKCORRY LICENSING SESSIONS—Question, Mr. Macaleese (Monaghan, N.); Answer, The Chief Secretary for Ireland (Mr. G. W. Balfour, Leeds, Central) 790

BURIAL GROUNDS ON ARRAN ISLANDS—Question, Mr. Sheehy (Galway, S.); Answer, Mr. G. W. Balfour 791

LORD EMLY'S LIMERICK SPEECH—Question, Sir J. Colomb; Answer, Mr. G. W. Balfour... 791

ENNISKILLEN CEMETERY—Question, Mr. Archdale (Fermanagh, N.); Answer, Mr. G. W. Balfour 792

LABOURERS' COTTAGES IN CARRICKMACROSS UNION—Question, Mr. Daly (Monaghan, S.); Answer, Mr. G. W. Balfour 793

CARRICKMACROSS INQUIRY—SHORTHAND WRITERS' FEES—Question, Mr. Daly; Answer, Mr. G. W. Balfour 793

EDUCATION — NEW SCHEME — POSITION OF INSPECTORS—Questions, Mr. Harrington (Dublin Harbour) and Mr. Clancy (Dublin County, N.); Answers, Mr. G. W. Balfour... 794

TEACHERS' REMUNERATION—RESULT FEES—Question, Mr. Flavin; Answer, Mr. G. W. Balfour 796

ARDSTRAW NATIONAL SCHOOL TEACHERS — Question, Serjeant Hemphill (Tyrone, N.); Answer, Mr. G. W. Balfour 796

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MUNSTER DAIRY SCHOOLS AND AGRICULTURAL INSTITUTE—Question, Mr. Flynn; Answer, The Vice-President of the Department of Agriculture for Ireland (Mr. Plunkett, Dublin County, S.) 797

IRISH PRISONS—SICK REGULATIONS—Question, Mr. J. F. X. O'Brien (Cork); Answer, Mr. G. W. Balfour 797

EVICTIONS ON THE WARDEN ESTATE—Question, Mr. Flavin; Answer, Mr. G. W. Balfour 798

VALENCIA HARBOUR AND CAHIRCIVEEN RIVER—Question, Mr. Flavin; Answer, Mr. Plunkett 798

ROADS BOAT SLIP, SOUTH KERRY—Question, Mr. Flavin; Answer, Mr. Plunkett 799

THEFTS OF AGRICULTURAL PRODUCE IN TRANSIT—Question, Mr. Archdale; Answer, Mr. Plunkett 800

PUBLIC BUSINESS.

Military Lands Bill [Lords]—Read the first time; to be read a second time upon Monday next, and to be printed. [Bill 285]... 800

Volunteers Bill [Lords]—Read the first time; to be read a second time upon Monday next, and to be printed. [Bill 286] 800

MESSAGE FROM THE LORDS—That they have agreed to the Commonwealth of Australia Constitution Bill without amendment.

That they have passed a Bill intituled, "An Act to extend the operation of The Union of Benefices Act, 1860." Union of Benefices Act (1860), Amendment Bill [Lords].

Queen Anne's Bounty Board (Joint Committee).—That they propose that the Joint Committee appointed to consider the constitution of Queen Anne's Bounty Board, and to report whether economy and efficiency of administration would be promoted by any change in its constitution or by its amalgamation with any other body, do meet in Committee Room 1A on Monday next at half-past Three of the clock.

So much of the Lords message (this day) as relates to the time and place of meeting of the Joint Committee on Queen Anne's Bounty Board, considered.

Ordered, That the Committee of this House do meet the Lords Committee as proposed by their Lordships.

Message to the Lords to acquaint them therewith.—(*Sir William Walrond*) 800

SUPPLY [17TH ALLOTTED DAY]. Considered in Committee.

(In the Committee.)

[Mr. J. W. LOWTHER (Cumberland, Penrith) in the Chair.]

CIVIL SERVICES AND REVENUE DEPARTMENTS ESTIMATES, 1900–1901.

CLASS II.

1. Motion made and Question proposed, "That a sum, not exceeding £8,095, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1901, for the Salaries and Expenses of the Office of Her Majesty's Secretary for Scotland and Subordinate Offices, including a Grant in Aid of the Congested Districts (Scotland) Fund."

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Motion made, and Question proposed, "That Item E (Congested Districts Board) be reduced by £500."—(*Mr. Hedderwick.*)

Mr. Weir, Ross and Cromarty 809

Attention called to the fact that forty Members were not present (*Captain Sinclair, Forfarshire*). House counted, and forty Members being found present,

DISCUSSION :—

Mr. Weir 814
Mr. Buchanan (Aberdeenshire, E.) 815
Dr. Clark (Caithness-shire) 818
The Lord Advocate (Mr. A. Graham Murray, Buteshire) 822
Sir H. Campbell-Bannerman (Stirling Burghs) 827
Mr. A. Graham Murray ... 831
Capt. Sinclair (Forfarshire) ... 831
Mr. Caldwell (Lanarkshire, Mid) 834

Question put.

The Committee divided :—Ayes, 67 ; Noes, 126. (Division List No. 183.)

Original Question again proposed.

Motion made, and Question put, "That Item E be reduced by £10."—(*Mr. Weir.*)

The Committee divided :—Ayes, 59 ; Noes, 120. (Division List No. 184.)

Original Question put, and agreed to.

2. Motion made, and Question proposed, "That a sum, not exceeding £10,649, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1901, for the Salaries and Expenses of the Fishery Board in Scotland and for Grants in Aid of Piers or Quays."

Motion made, and Question proposed, "That a sum, not exceeding £10,549, be granted for the said Service."—(*Mr. Buchanan.*)

DISCUSSION :—

Sir Thomas Esmonde (Kerry, W.) 845
Mr. H. S. Foster (Suffolk, Lowestoft) 846
Mr. Tennant (Berwickshire) 848
Mr. Wason (Clackmannan and Kinross) 848
Mr. Crombie (Kincardineshire) ... 849
Mr. Weir 850
Mr. Gibson Bowles (Lynn Regis) 852
Mr. Souttar (Dumfriesshire) ... 856
Mr. Hedderwick (Wick Burghs) 857
Capt. Sinclair 858

Attention called to the fact that forty Members were not present (*Major Jameson, Clare, W.*). House counted, and forty Members being found present,

DISCUSSION :—

Capt. Sinclair 861
Mr. Bryce (Aberdeen, S.) ... 864
Major Jameson (Clare, W.) 867
Mr. Power (Waterford, E.) 868
Sir Mark Stuart (Kirkcudbrightshire) 869
Mr. A. Graham Murray ... 869
Sir Thomas Esmonde 877
Mr. Weir 877
Mr. Buchanan 878

Question put.

The Committee divided :—Ayes, 40 ; Noes, 101. (Division List No. 185.)

Original Question put, and agreed to.

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3. £3,221, to complete the sum for Lunacy Commission, Scotland.

4. Motion made, and Question proposed, "That a sum, not exceeding £2,743, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1901, for the Salaries and Expenses of the Department of the Registrar General of Births, etc., in Scotland."

DISCUSSION :—
Mr. Weir ... ... 880 *Mr. A. Graham Murray* ... 881
Sir Chas. Cameron (Glasgow, Bridgeton) 881

Motion made, and Question put, "That a sum, not exceeding £2,693, be granted for the said Service."—(*Mr. Weir.*)
The Committee divided :—Ayes, 34 ; Noes, 102. (Division List No. 186.)
Original Question put, and agreed to.
Resolutions to be reported.

Motion made, and Question proposed, "That a sum, not exceeding £8,508, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1901, for the Salaries and Expenses of the Local Government Board for Scotland, and for Expenses under the Vaccination Act, Infectious Disease Notification Act, Local Government (Scotland) Act, 1889, Burgh Police (Scotland) Act, Local Government (Scotland) Act, 1894, Public Health (Scotland) Act, Poor Law (Scotland) Act, and Sale of Food and Drugs Acts, 1875 to 1899."

Motion made, and Question proposed, "That a sum not exceeding £3,308 be granted for the said Service."—(*Sir Charles Cameron.*)

DISCUSSION :—
Mr. Weir ... ... 887 *Mr. Cameron Corbett (Glasgow, Tradeston)* 889
Mr. John Wilson (Falkirk Burghs) ... ... 889 *Mr. A. Graham Murray* ... 889

Question put.

The Committee divided :—Ayes, 36 ; Noes, 103. (Division List No. 187.)

Original Question again proposed.

Debate arising, and it being after midnight, the Chairman left the Chair to make his Report to tho House.

Resolutions to be reported upon Monday next. Committee also report Progress ; to sit again upon Monday next.

Adjourned at ten minutes after Twelve of the clock.

LORDS: MONDAY, 9TH JULY, 1900.

ROYAL ASSENT.

COMMISSION—The following Bill received the Royal Assent :—Commonwealth of Australia Constitution 893

PRIVATE BILL BUSINESS.

The LORD CHANCELLOR acquainted the House that the Clerk of the Parliaments had laid upon the Table the Certificates from the Examiners that the further Standing Orders applicable to the following Bills have been complied with :—London (Clerkenwell and Holborn) Provisional Order ;

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Electric Lighting Provisional Orders (No. 10); London (Poplar) Provisional Order; Croydon Tramways and Improvements; Newry, Keady, and Tynan Light Railway; Electric Lighting Provisional Orders (No. 9); Local Government Provisional Orders (No. 7); Local Government Provisional Orders (No. 9); Local Government Provisional Orders (No. 13); Perth and Paisley Gas Provisional Orders; London County Tramways (No. 1); Scarborough Corporation.

And also the Certificate that the further Standing Orders applicable to the following Bill have not been complied with:—Plymouth, Stonehouse, and Devonport Tramways. The same were ordered to lie on the Table 893

Plymouth, Stonehouse, and Devonport Tramways Bill—Examiner's Certificate of non-compliance with the Standing Orders referred to the Standing Orders Committee To-morrow 893

Rickmansworth and Uxbridge Valley Water Bill—Report from the Select Committee, That the Committee had not proceeded with the consideration of the Bill, no parties having appeared in opposition thereto; read, and ordered to lie on the Table. The Orders made on the 26th of June and Thursday last discharged; and Bill committed 894

Local Government Provisional Orders (No. 1) Bill—Report from the Select Committee, That the Committee had not proceeded with the consideration of the Bill, no parties having appeared in opposition thereto; read, and ordered to lie on the Table. The Orders made on the 26th of June and Thursday last discharged; and Bill committed 894

Tramways Orders Confirmation (No. 3) Bill [H.L.]—Reported from the Select Committee with Amendments, and committed to a committee of the whole House To-morrow; and to be printed as amended. (No. 172.) 894

Hastings Tramways Bill—The Queen's consent signified; and Bill reported with Amendments 894

South Eastern Metropolitan Tramways Bill—Reported with Amendments 894

Baker Street and Waterloo Railway Bill; London United Tramways Bill—Report from the Committee of Selection, That the Earl of Gainsborough be proposed to the House as a member of the Select Committee on the said Bills in the place of the Lord Calthorpe; read, and agreed to ... 894

London County Council (Money Bill)—Moved that the Order made on the 12th day of March last, "That no Private Bill brought from the House of Commons shall be read a second time after Tuesday the 26th day of June next," be dispensed with, and that the Bill be now read 2ª; agreed to; Bill read 2ª accordingly, and committed 894

Costa Rica Railway Company, Limited, Bill [H.L.]—Buenos Ayres and Rosario Railway Bill [H.L.]—Read 3ª, and passed, and sent to the Commons 895

Great Eastern Railway Bill—Read 3ª, with the Amendments; further Amendments made; Bills passed, and returned to the Commons 895

Hamilton, Motherwell, and Wishaw Tramways Bill—St. Albans Water Bill—London and St. Katherine Docks and East and West India Dock Companies Bill—Read 3ª, with the Amendments, and passed, and returned to the Commons 895

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Local Government Provisional Orders (No. 5) Bill—Reported from the Select Committee without Amendment, and committed to a Committee of the whole House To-morrow 895

Tramways Orders Confirmation (No. 4) Bill [H.L.]—Amendments reported (according to Order), and Bill to be read 3ª To-morrow 895

Gas Provisional Order (No. 3) Bill—Amendment reported (according to Order), and Bill to be read 3ª To-morrow 895

RETURNS, REPORTS, ETC.

CRIMINAL AND JUDICIAL STATISTICS (IRELAND)—Part II. Civil Statistics for the year 1899 895

PUBLIC RECORDS—Sixty-first Annual Report of the Deputy Keeper of the Public Records 895

TRADE REPORTS—I. Annual Series:—No. 2471, Norway; No. 2472, France (Algeria); No. 2473, Cuba. II. Miscellaneous Series:—No. 531, State encouragement to industry in Hungary 895

FISHERY BOARD FOR SCOTLAND—Reports on the state of the markets for Scottish cured herrings on the Continent and in the United States of America. Presented [by Command], and ordered to lie upon the Table ... 896

INTERMEDIATE EDUCATION (IRELAND)—Accounts of the receipts and expenditure of the Intermediate Education Board for Ireland, for the year ended 31st December, 1899; together with the Report of the Comptroller and Auditor General thereon 896

POST OFFICE SAVINGS BANKS—Accounts presented of all deposits received and paid during the year ended 31st December, 1899, and of the sums received and paid by the National Debt Commission on account of the Fund for the Post Office Savings Banks in the same year. Laid before the House (pursuant to Act), and ordered to lie upon the Table 896

COMMITTEE OF SELECTION FOR THE STANDING COMMITTEE—Report from, That the Committee have added the Earl of Hardwicke to the Standing Committee; read, and ordered to lie upon the Table 896

NEW BILL.

County Courts (Ireland) Bill [H.L.]—A Bill to amend the law relating to county courts in Ireland—was presented by the Lord Ashbourne; read 1ª; to be printed; and to be read 2ª on Thursday next. (No. 173) 896

Diocesan Registration Bill [H.L.]—House in Committee (according to Order). Amendments made; Bill re-committed to the Standing Committee; and to be printed as amended. (No. 174) 896

IRISH LAND LEGISLATION—FRY COMMISSION REPORT.

DISCUSSION:—

Lord Clonbrock 896
The Lord Chancellor of Ireland (*Lord Ashbourne*) ... 901
The Earl of Mayo 910
Viscount Templetown 912
The Earl of Arran 914

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MILITARY MANŒUVRES BILL—ITS EFFECT ON LANDOWNERS.

DISCUSSION :—

The Earl of Lichfield ... 914
The Secretary of State for War (*The Marquess of Lansdowne*) 918
The Earl of Kimberley 922
The Chairman of Committees (*The Earl of Morley*) 923

Members of Local Authorities Relief Bill [H.L.]—[SECOND READING]—Order of Day for the Second Reading read.

Moved, "That the Bill be now read a second time."—(*The Duke of Northumberland.*)

DISCUSSION :—

Earl Spencer 925
The Lord Privy Seal (*Viscount Cross*) 925
The Duke of Northumberland ... 925

On Question, agreed to; Bill read 2ª accordingly, and committed to a Committee of the whole House on Monday next.

Cruelty to Wild Animals in Captivity Bill—[SECOND READING]—Order of the day for the Second Reading read.

Moved, "That the Bill be now read a second time."—(*Lord James of Hereford.*)

DISCUSSION :—

Viscount Galway 927
The Earl of Portsmouth ... 927
The Earl of Mayo 927
The Earl of Kimberley ... 927
The Lord Chancellor (*The Earl of Halsbury*) 927
Lord James of Hereford ... 928

On Question, agreed to; Bill read 2ª accordingly, and committed to a Committee of the whole House on Thursday next.

DESECRATION IN YORKSHIRE CHURCHES.

DISCUSSION :—

The Lord Archbishop of York 928
The Earl of Halsbury 929
Viscount Halifax 931

Copyright Bill [H.L.]—[COMMITTEE]—Order of the Day for the House to be put into Committee, read.

Lord Monkswell 932

House in Committee (according to Order).

The Amendments proposed by the Select Committee made.

Clauses 1 to 4 agreed to.

Clause 5 :—

Lord Burghclere 934

Clause agreed to.

Remaining clauses agreed to; Standing Committee negatived; the Report of Amendments to be received To-morrow.

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Cremation Bill [H.L.]—[THIRD READING]—Order of the Day for the Third Reading read.

Moved, "That the Bill be now read the third time."—(*Lord Monkswell.*)

DISCUSSION :—

Lord Belper ... ... 934 *The Earl of Morley* 934

On Question, agreed to. Bill read 3ª accordingly, and passed, and sent to the Commons.

House adjourned at twenty-five minutes past Seven of the clock.

COMMONS: MONDAY, 9TH JULY, 1900.

PRIVATE BILL BUSINESS.

PRIVATE BILLS [Lords] (STANDING ORDERS NOT PREVIOUSLY INQUIRED INTO COMPLIED WITH)—Mr. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bill, originating in the Lords, and referred on the first Reading thereof, the Standing Orders not previously inquired into, and which are applicable thereto, have been complied with, viz. :—Morley Corporation Bill [Lords]. Ordered, That the Bill be read a second time 935

PROVISIONAL ORDER BILLS [Lords] (STANDING ORDERS APPLICABLE THERETO COMPLIED WITH)—Mr. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bills, originating in the Lords, and referred on the First Reading thereof, the Standing Orders which are applicable thereto have been complied with, viz. :—Education Board Provisional Order Confirmation (London) Bill [Lords], Tramways Orders Confirmation (No. 1) Bill [Lords]. Ordered, That the Bills be read a second time To-morrow. 935

PROVISIONAL ORDER BILLS (STANDING ORDERS APPLICABLE THERETO COMPLIED WITH)—Mr. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That in the case of the following Bill, referred on the First Reading thereof, the Standing Orders which are applicable thereto have been complied with, viz. :—Electric Lighting Provisional Orders (No. 7) Bill. Ordered, That the Bill be read a second time To-morrow 935

PRIVATE BILLS [Lords] (STANDING ORDERS NOT PREVIOUSLY INQUIRED INTO NOT COMPLIED WITH)—Mr. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bill, originating in the Lords, and referred on the First Reading thereof, the Standing Orders not previously inquired into, and which are applicable thereto, have not been complied with, viz. :—Workington Railways and Docks Bill [Lords]. Ordered, That the Report be referred to the Select Committee on Standing Orders 936

MILITARY MANŒUVRES BILL [Lords] (STANDING ORDERS APPLICABLE THERETO NOT COMPLIED WITH)—Mr. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bill, originating in the Lords, and referred under an Order of the House of the 5th day of this instant July, the Standing Orders which are applicable thereto have not been complied with, viz. :—Military Manœuvres Bill [Lords]. Ordered, That the Report be referred to the Select Committee on Standing Orders 936

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Mountain Ash Water Bill [Lords]—Lords Amendments to Commons Amendments considered, and agreed to 936

Latimer Road and Acton Railway Bill—Lords Amendment considered, and agreed to 936

Hartlepool Gas and Water Bill—Lords Amendments considered, and agreed to 936

Cork Electric Tramways Bill [Lords]—Read the third time, and passed, with Amendments 936

Coventry Corporation Bill—As amended, considered. A Clause added. Ordered, That Standing Orders 223 and 243 be suspended, and that the Bill be now read the third time.—(*Mr. Caldwell.*) Bill accordingly read the third time, and passed 936

Donegal Railway Bill [Lords]—As amended, considered; to be read the third time 937

Exmouth Urban District Water Bill [Lords]—As amended, considered; Amendments made; Bill to be read the third time 937

Falkirk Corporation Bill [Lords]—As amended, considered; to be read the third time 937

Fishguard and Rosslare Railways and Harbours Bill [Lords]—Not amended, considered; to be read the third time 937

Hastings Corporation Bill—As amended, considered. A Clause added. Ordered, That Standing Orders 223 and 243 be suspended, and that the Bill be now read the third time.—(*Mr. Caldwell.*) Queen's consent signified. Bill read the third time and passed 937

Rhymney Railway Bill [Lords]—As amended, considered; an Amendment made; Bill to be read the third time 937

Hammond (G. H.) Company Bill [Lords]; London and San Francisco Bank Bill [Lords]; London, Walthamstow and Epping Forest Railway (Abandonment) Bill; Manchester Corporation Tramways Bill [Lords]; North British Railway Bill [Lords]; Salford Corporation Bill [Lords]; South Shields Corporation Bill [Lords]; Withington Urban District Council Bill [Lords]—Read a second time, and committed 937

Local Government Provisional Orders (No. 12) Bill; Local Government Provisional Orders (No. 14) Bill; London (St. Luke) Provisional Order Bill; London (Southwark) Provisional Order Bill—As amended, considered; to be read third time To-morrow 938

Edinburgh (Housing of the Working Classes) Improvement Scheme Provisional Order—Bill to confirm a Provisional Order made by the Secretary for Scotland under Part I. of the Housing of the Working Classes Act, 1890, relating to the City and Royal Burgh of Edinburgh, ordered to be brought in by the Lord Advocate and Mr. Anstruther. Ordered, That Standing Order 193A be suspended, and that the Bill be read the first time.—(*The Lord Advocate*) 938

Edinburgh (Housing of the Working Classes) Improvement Scheme Provisional Order Bill—"To confirm a Provisional Order made by the Secretary for Scotland under Part I. of The Housing of the Working Classes Act, 1890, relating to the City and Royal Burgh of Edinburgh," presented accordingly, and read the first time; to be referred to the Examiners of Petitions for Private Bills, and to be printed. [Bill 288] ... 938

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PAISLEY WATERWORKS PROVISIONAL ORDER—Bill to confirm a Provisional Order under The Burgh Police (Scotland) Act, 1892, relating to Paisley Waterworks, ordered to be brought in by the Lord Advocate and Mr. Anstruther. Ordered, That Standing Order 193A be suspended, and that the Bill be read the first time.—(*The Lord Advocate*) 938

Paisley Waterworks Provisional Order Bill—"To confirm a Provisional Order under The Burgh Police (Scotland) Act, 1892, relating to Paisley Waterworks," presented accordingly, and read the first time; to be referred to the Examiners of Petitions for Private Bills, and to be printed. [Bill 289] 938

PRIVATE BILLS (GROUP J)—Colonel GUNTER reported from the Committee on Group J of Private Bills, That Major Jameson, one of the Members of the said Committee, was not present during the Sitting of the Committee this day. Ordered, that Major Jameson do attend the Committee on Group J of Private Bills upon Wednesday next, at half-past Eleven of the clock. Report to lie upon the Table.

The Chairman of Committees (*Mr. J. W. Lowther, Cumberland, Penrith*) 939

Ordered, That the Proceedings of the Committee, this day, on Group J of Private Bills, be deemed to be, and be, valid nothwithstanding that a Member of the said Committee had failed to sign his Declaration in accordance with Standing Order 118.—(*The Chairman of Ways and Means.*) Report to lie upon the Table... 939

Durham (County of) Electric Power Supply Bill—Reported from the Select Committee on Electric Power Bills, with Amendments; Report to lie upon the Table, and to be printed 940

South Wales Electrical Power Distribution Bill—Reported from the Select Committee on Electric Power Bills, with Amendments; Report to lie upon the Table, and to be printed 940

Lancashire Electric Power Bill—Reported from the Select Committee on Electric Power Bills, with Amendments; Report to lie upon the Table, and to be printed 940

Electric Power Bills (Select Committee)—Sir ANDREW SCOBLE reported from the Select Committee on Electric Power Bills, That at the meeting of the Committee this day a letter was received from Sir James Kitson, one of the Members of the said Committee, stating that he was unable on account of urgent business to attend the Committee this day; Report to lie upon the Table 940

Sir ANDREW SCOBLE reported from the Select Committee on Electric Power Bills, That, for the convenience of parties, the Committee had adjourned till Thursday at Three of the clock; Report to lie upon the Table 940

Hemel Hempstead Corporation (Water) Bill [Lords]—Reported, with Amendments; Report to lie upon the Table, and to be printed 940

North Metropolitan Electric Power Supply Bill—Reported, with Amendments; Report to lie upon the Table 940

PRIVATE BILLS (GROUP D)—Mr. ALEXANDER HARGREAVES BROWN reported from the Committee on Group D of Private Bills, That Mr. Murnaghan, one of the Members of the said Committee, was not present during the sitting of the Committee this day. Report to lie upon the Table ... 940

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MESSAGE FROM THE LORDS—That they have agreed—to Pier and Harbour Provisional Orders (No. 1) Bill, without Amendment.

That they have agreed to Amendments to—Wirral Railway Bills [Lords], East Stirlingshire Water Bill [Lords], Lincoln Corporation (Tramways) Bill [Lords], Sheffield District Railway Bill [Lords], without amendment.

That they have passed a Bill intituled, "An Act for authorising the Costa Rica Railway Company, Limited, to borrow further moneys and to make provision in reference thereto; and for other purposes." Costa Rica Railway Company, Limited, Bill [Lords].

And also a Bill intituled, "An Act to amend and extend the Memorandum of Association of the Buenos Ayres and Rosario Railway Company, Limited, with reference to the acquisition of railways; and for other purposes." Buenos Ayres and Rosario Railway Bill [Lords] 941

Costa Rica Railway Company, Limited, Bill [Lords]—Buenos Ayres and Rosario Railway Bill [Lords]—Read the first time; and referred to the Examiners of Petitions for Private Bills 941

PETITIONS.

Education (Scotland) Bill—Petition from North Berwick, against; to lie upon the Table 941

Factories and Workshops Bill—Petition from Rochdale, for alteration; to lie upon the Table 941

Sale of Intoxicating Liquors to Children (No. 2) Bill—Petitions in favour, from Alborough; Leamington; Guildford; Guisborough; Southend-on-Sea (eight); Grays; Thurrock; Newcastle-in-Emlyn; and Bermondsey; to lie upon the Table 942

Sale of Intoxicating Liquors to Children (Scotland) Bill—Petitions in favour, from Cornwath; Monifieth; Fraserburgh; Fearn; Longforgan; Duffus; Paisley; Mortlock; and Edinburgh; to lie upon the Table ... 942

Sunday Closing (Monmouthshire) Bill—Petitions in favour, from Grays; Thurrock; Southend-on-Sea; Leamington (two); and Alborough; to lie upon the Table 942

RETURNS, REPORTS, ETC.

PUBLIC RECORDS—Copy presented, of Sixty-first Annual Report of the Deputy Keeper [by Command]; to lie upon the Table 942

CRIMINAL AND JUDICIAL STATISTICS (IRELAND)—Copy presented, of Criminal and Judicial Statistics of Ireland for the year 1899. Part II. Civil Statistics [by Command]; to lie upon the Table 942

FISHERY BOARD (SCOTLAND)—Copy presented, of Reports on the State of the Markets for Scottish-cured Herrings on the Continent and in the United States of America [by Command]; to lie upon the Table 942

POST OFFICE SAVINGS BANKS—Accounts presented, of all Deposits received and paid during the year ended 31st December, 1899, and of the Sums received and paid by the National Debt Commissioners on account of the Fund for the Post Office Saving Banks in the same year [by Act]; to lie upon the Table, and to be printed. [No. 262] 942

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TRADE REPORTS (ANNUAL SERIES)—Copies presented, of Diplomatic and Consular Reports, Annual Series, Nos. 2471 to 2473 [by Command]; to lie upon the Table 942

TRADE REPORTS (MISCELLANEOUS SERIES)—Copy presented, of Diplomatic and Consular Reports, Miscellaneous Series, No. 531 [by Command]; to lie upon the Table 942

EAST INDIA (INOCULATION AGAINST CHOLERA AND TYPHOID)—Return presented, relative thereto [Address 29th June; *Sir Charles Cameron*]; to lie upon the Table 943

PAPER LAID UPON THE TABLE BY THE CLERK OF THE HOUSE—Intermediate Education (Ireland)—Account of Receipts and Expenditure for 1899, with the Report of the Comptroller and Auditor General thereon [by Act]; to be printed. [No. 263] 943

Tramways Orders Confirmation (No. 2) Bill—Copy ordered, "of Memorandum stating the nature of the Proposals contained in the Provisional Orders included in the Tramways Orders Confirmation (No. 2) Bill."—(*Mr. Ritchie.*) Copy presented accordingly; to lie upon the Table, and to be printed. [No. 264] 943

QUESTIONS.

CHINA—ANTI-FOREIGN OUTBREAK—CO-OPERATION OF JAPAN IN SUPPRESSING DISTURBANCES—Questions, Sir E. Ashmead-Bartlett (Sheffield, Ecclesall), Mr. Gibson Bowles (Lynn Regis), Mr. MacLean (Cardiff), and Mr. Dillon (Mayo E.); Answers, The Under-Secretary of State for Foreign Affairs (Mr. Brodrick, Surrey, Guildford) 943

BRITISH NAVAL AND MILITARY REINFORCEMENTS FOR CHINA—Question, Mr. Joseph Walton (Yorkshire, W.R., Barnsley); Answer, Mr. Brodrick ... 944

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WAR MATERIAL SUPPLIED TO CHINA FROM ENGLAND AND GERMANY—Questions, Col. Pilkington (Lancashire, Newton), Mr. Flavin (Kerry, N.), and Mr. Swift MacNeill (Donegal, S.); Answers, The Under-Secretary of State for War (Mr. Wyndham, Dover) 945

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NAVAL OFFICERS QUALIFIED AS INTERPRETERS—Question, Sir J. Colomb (Great Yarmouth); Answer, Mr. Goschen 946

SOUTH AFRICAN WAR—SIR W. BUTLER AND SIR A. MILNER—PUBLICATION OF DESPATCHES—Questions, Mr. Swift MacNeill; Answers, Mr. A. J. Balfour... 946

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MEDICAL ARRANGEMENTS AT THE FRONT — SIR WALTER FOSTER'S SUGGESTIONS—Question, Sir James Kitson (Yorkshire, W.R., Colne Valley); Answer, Mr. A. J. Balfour 947

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BRITISH PRISONERS RELEASED AND STILL CAPTIVE—Question, Mr. Weir (Ross and Cromarty); Answer, Mr. Wyndham 949

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BOER EXPEDITION 1884-5—MEDALS—Question, Col. Wyndham Murray (Bath); Answer, Mr. Wyndham 953

VOLUNTEER DEPUTY ASSISTANT ADJUTANT GENERAL—Question, Mr. Lees Knowles (Salford, W.); Answer, Mr. Wyndham 954

ARMY CONTRACTORS AND MILITIA AND VOLUNTEER CONTRACTS—Questions, Mr. Henniker Heaton (Canterbury), Mr. James Lowther (Kent, Thanet), Mr. Flavin (Kerry, N.), and Mr. Gibson Bowles; Answers, The Financial Secretary to the War Office (Mr. J. Powell-Williams, Birmingham, S.) ... 954

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NAVAL COURTS-MARTIAL—Question, Mr. H. D. Greene (Shrewsbury); Answer, Mr. Goschen 956

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THE TRUCK ACT—POSITION OF FEMALE WORKERS—Question, Sir Charles Dilke (Gloucestershire, Forest of Dean); Answer, The Secretary of State for the Home Department (Sir M. White Ridley, Lancashire, Blackpool) 958

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LAW COURTS — PROPOSED NEW BUILDINGS — Question, Lord Balcarres (Lancashire, Chorley); Answer, The First Commissioner of Works (Mr. Akers-Douglas, Kent, St. Augustine) 960

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IRISH LOCAL GOVERNMENT OFFICIALS—SALARIES—Questions, Sir Thomas Esmonde, Mr. Flynn, Mr. Flavin, and Mr. Dillon; Answers, Mr. G. W. Balfour... 962

IRISH LOCAL GOVERNMENT BODIES—PROSECUTION FOR VOTING WHEN DISQUALIFIED—Question, Mr. Dillon; Answer, Mr. G. W. Balfour 964

DOWNPATRICK DISTURBANCES—Questions, Mr. William Johnston (Belfast, S.) and Mr. T. D. Sullivan; Answer, Mr. G. W. Balfour 965

ROYAL IRISH CONSTABULARY REGULATIONS—Question, Mr. Macaleese (Monaghan, N.); Answer, Mr. G. W. Balfour 966

REPAIR OF IRISH ROADS—Question, Captain Donelan; Answer, Mr. G. W. Balfour... 966

CONGESTED DISTRICTS IN KERRY—Question, Mr. Flavin; Answer, Mr. G. W. Balfour... 966

BELFAST WATER SUPPLY—Question, Mr. Macaleese; Answer, Mr. G. W. Balfour... 967

MONAGHAN PETTY SESSIONS APPEALS—Question, Mr. Macaleese; Answer, Mr. G. W. Balfour 968

BUSINESS OF THE HOUSE—Questions, Sir H. Campbell Bannerman, Mr. Dillon, and Sir Charles Dilke; Answer, Mr. A. J. Balfour 968

PUBLIC BUSINESS.

NATAL CORRESPONDENCE—Address for "a Return of Correspondence, recently published in the *Natal Witness*, containing minutes from the Prime Minister and Governor of Natal and Generals Buller and Murray, respecting the Censorship in that Colony of Letters and Telegrams."—(*Captain Sinclair*) 969

NEW WRIT—For the County of Wilts (Southern or Wilton Division), in the room of the Hon. Jacob Pleydell-Bouverie, commonly called Viscount Folkestone, now Earl of Radnor, called up to the House of Peers.—(*Sir William Walrond*) 970

ROYAL ASSENT.

Message to attend the Lords Commissioners. The House went; and, being returned, Mr. SPEAKER reported the Royal Assent to—Commonwealth of Australia Constitution Act, 1900... 970

Diocesan Records Bill [Lords]—Read the first time; to be read a second time upon Thursday, and to be printed. [Bill 290] 970

MESSAGE FROM THE LORDS—That they have agreed to—Burial Grounds Bill; District Councillors and Guardians (Term of Office) Bill, without Amendment 970

COUNTY AND DISTRICT SURVEYORS [WEXFORD)—ACTION OF IRISH LOCAL GOVERNMENT BOARD—[Motion for Adjournment].

Motion made, and Question proposed, "That this House do now adjourn."—(*Sir Thomas Esmonde.*)

DISCUSSION:—

Mr. James O'Connor (*Wicklow, W.*) 980
The Chief Secretary for Ireland (*Mr. G. W. Balfour, Leeds, Central*) 981
Mr. Dillon (*Mayo, E.*) ... 982
Mr. Flynn (*Cork, N.*) ... 984
Mr. T. P. O'Connor (*Liverpool, Scotland*) 985
Mr. Flavin (*Kerry, N.*)... ... 986
Mr. Swift MacNeill (*Donegal, S.*) 987
Mr. Power (*Waterford, E.*) ... 988

Question put.

The House divided:—Ayes, 114; Noes, 199. (Division List No. 188.)

SITTINGS OF THE HOUSE (EXEMPTION FROM THE STANDING ORDER)—Motion made, and Question put, "That the Proceedings on the Tithe Rent-charge (Ireland) Bill, if under discussion at Twelve o'clock this night, be not interrupted under the Standing Order, Sittings of the House."—(*Mr. Balfour.*)

The House divided:—Ayes, 200; Noes, 122. (Division List No. 189.)

Tithe Rent-Charge (Ireland) Bill—Considered in Committee.

(In the Committee.)

[Mr. J. W. LOWTHER (Cumberland, Penrith) in the Chair.]

Clause 3:—

Amendment proposed—

"In page 2, line 28, after the word 'hereditaments,' to insert the words 'in respect of which judicial rents have been fixed.'"—(*Mr. Dillon.*)

Question proposed, "That those words be here inserted."

DISCUSSION:—

The Chief Secretary for Ireland (*Mr. G. W. Balfour, Leeds, Central*) 996
Mr. Edmund Robertson (*Dundee*) 997
Mr. Swift MacNeill (*Donegal, S.*) 998
Mr. Flynn (*Cork, N.*) 1000
Mr. T. P. O'Connor (*Liverpool, Scotland*) 1001
Serjeant Hemphill (*Tyrone, N.*) 1004
Mr. Doogan (*Tyrone, E.*) ... 1005

Question put, "That the Question be now put."

The Committee divided:—Ayes, 179; Noes, 106. (Division List No. 190.)

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Question put accordingly.

The Committee divided:—Ayes, 105; Noes, 177. (Division List No. 191.)

Amendment proposed—

"In page 2, line 36, to leave out Sub-section 2."—(*Mr. Dillon.*)

DISCUSSION:—

Mr. Flynn 1015
Serjeant Hemphill 1016
Mr. G. W. Balfour ... 1017
Mr. James O'Connor (*Wicklow, W.*) 1018
Mr. T. P. O'Connor 1018
Mr. Power (*Waterford, E.*) ... 1021

Attention called to the fact that forty Members were not present (*Dr. Tanner, Cork County, Mid*). House counted, and, forty Members being found present,

Mr. Power (*Waterford, E.*) 1021
Mr. James O'Connor ... 1022
Mr. Flynn 1022

Question put.

The Committee divided:—Ayes, 139; Noes, 76. (Division List No. 192.)

Amendment proposed—

"In page 3, line 5, at the end of the clause, to add the words, 'Provided always that owners of lay impropriate tithe rent-charge may elect to have the tithe payable to them varied according to the provisions of the present law.'"—(*Mr. Dillon.*)

Question proposed, "That those words be there added."

DISCUSSION:—

Mr. G. W. Balfour ... 1027
Mr. Swift MacNeill ... 1027
Mr. Moulton (*Cornwall, Launceston*) 1028
The Attorney General for Ireland (*Mr. Atkinson, Londonderry, N.*) ... 1031
Serjeant Hemphill 1033
Mr. T. P. O'Connor 1035
Mr. Dillon 1039

Question put.

The Committee divided:—Ayes, 109; Noes, 195. (Division List No. 193.)

Mr. G. W. BALFOUR rose in his place, and claimed to move, "That the Question 'That Clause 3 stand part of the Bill' be now put"

Question put, "That the Question 'That Clause 3 stand part of the Bill' be now put."

The Committee divided:—Ayes, 197; Noes, 101. (Division List No. 194.)

Question put accordingly, "That Clause 3 stand part of the Bill."

The Committee divided:—Ayes, 201; Noes, 102. (Division List No. 195.)

Clause 4:—

DISCUSSION:—

Mr. Edmund Robertson ... 1051
Mr. Atkinson 1051
Mr. Caldwell 1051
Mr. Dillon 1051
Serjeant Hemphill 1052
Mr. Moulton 1052

Clause agreed to.

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Clause 5 :—

Question proposed, "That Clause 5 stand part of the Bill.

DISCUSSION :—

Mr. Dillon... ... ... 1054 *Mr. T. P. O'Connor* 1054
Mr. Atkinson 1054

Question put.

The Committee divided :—Ayes, 175 ; Noes, 77. (Division List No. 196.)

Clause 6 :—

Question proposed, "That Clause 6 stand part of the Bill."

DISCUSSION :—

Mr. Dillon ... ... 1057 *Mr. Atkinson* 1057

Question put, and agreed to.

Clause 7 :—

Question proposed, "That Clause 7 stand part of the Bill."

DISCUSSION :—

Mr. Dillon ... ... 1058 *Mr. Dillon* 1059
Mr. Atkinson ... ... 1058 *Mr. Swift MacNeill* 1060

Question put.

The Committee divided :—Ayes, 163 ; Noes, 72. (Division List No. 197.)

Clauses 8, 9, and 10 agreed to.

The First Lord of the Treasury (*Mr. A. J. Balfour, Manchester, E.*) ... 1061

New clause—

"After the passing of this Act, when the Land Commission order the redemption of tithe rent-charge in pursuance of Section 15 of The Land Law (Ireland) Act, 1887, the price fixed shall not be less than twenty-five years' purchase."—(*Mr. Dillon.*)

—brought up and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

DISCUSSION :—

Mr. G. W. Balfour ... 1065 *Mr. T. P. O'Connor* 1066
Mr. Swift MacNeill ... 1065 *Mr. Dillon* 1068

Question put.

The Committee divided :—Ayes, 64 ; Noes, 147. (Division List No. 198.)

Schedule agreed to.

Question proposed, "That the Chairman do report the Bill without Amendment to the House."

DISCUSSION :—

Mr. Dillon ... ... 1071 *Mr. Flynn* 1072
Mr. Swift MacNeill ... 1071 *Mr. T. P. O'Connor* 1072

Question put.

The Committee divided :—Ayes, 132 ; Noes, 49. (Division List No. 199.)

Bill to be read the third time upon Thursday.

Mines (Prohibition of Child Labour Underground) Bill, changed from "Coal Mines (Prohibition of Child Labour Underground) Bill"—Lords Amendments considered, and agreed to 1075

Tramways (Ireland) Acts Amendment Bill—Read a second time, and committed for Thursday 1076

Adjourned at twenty minutes after Two of the clock.

LORDS: TUESDAY, 10TH JULY, 1900.

ROYAL ASSENT.

COMMISSION—The following Bills received the Royal Assent:—1, County Surveyors (Ireland); 2, Naval Reserve (Mobilisation); 3, County Councils (Elections) Act (1891) Amendment; 4, Colonial Solicitors; 5, Burial Grounds; 6, District Councillors and Guardians (Term of Office); 7, Metropolitan Common Scheme (Petersham) Provisional Order; 8, Local Government (Ireland) Provisional Order (No. 1); 9, Local Government (Ireland) Provisional Order (No. 2); 10, Local Government Provisional Orders (No. 2); 11, Local Government Provisional Orders (No. 3); 12, Local Government Provisional Orders (No. 4); 13, Local Government Provisional Orders (Gas); 14, Leith Burgh Provisional Order; 15, Gas and Water Orders Confirmation; 16, Education Board Provisional Orders Confirmation (Brighton and Preston United Districts, &c.); 17, Pier and Harbour Provisional Orders (No. 1); 18, Great Berkhampstead Water; 19, Motherwell Water; 20, Morecambe Urban District Council (Gas); 21, Birmingham (King Edward the Sixth) Schools; 22, Ossett Corporation Gas; 23, Southport Extension and Tramways; 24, Stockport Corporation Tramways; 25, Mersey Docks and Harbour Board; 26, Paignton Urban District Water; 27, Brewery and Commercial Investment Trust, Limited; 28, Bristol Water; 29, Commercial Union Assurance Company; 30, Milford Docks; 31, Birmingham Corporation (Stock); 32, Scottish American Investment Company, Limited; 33, Bedford Gas; 34, Neath Harbour; 35, Taff Vale Railway; 36, Hoylake and West Kirby Improvement; 37, Wakefield Corporation Market; 38, British Gas Light Company (Staffordshire Potteries); 39, Glasgow and South-Western Railway; 40, South-Eastern Railway; 41, Hamilton Burgh; 42, North Warwickshire Water; 43, Widnes and Runcorn Bridge; 44, Lincoln Corporation (Tramways); 45, City of London Electric Lighting; 46, Lancashire and Yorkshire Railway; 47, Woodbridge District Water; 48, Wirral Railway; 49, Sheffield District Railway; 50, East Stirlingshire Water 1077

PRIVATE BILL BUSINESS.

The LORD CHANCELLOR acquainted the House that the Clerk of the Parliaments had laid upon the Table the Certificate from the Examiners that the further Standing Orders applicable to the following Bill have been complied with:—Taunton Corporation. The same was ordered to lie on the Table 1078

STANDING ORDERS COMMITTEE—Report from, That the Standing Orders not complied with in respect of the Plymouth, Stonehouse, and Devonport Tramways Bill ought to be dispensed with, and the Bill allowed to proceed, provided that proof be given before the Examiners that the transfer provided for by Clause 35 of the scheduled agreement has been approved of by a meeting of the company held in accordance with Standing Order 64.

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That the Standing Orders not complied with in respect of the Tottenham Urban District Council Bill ought to be dispensed with, and Bill allowed to proceed.

That the Standing Orders not complied with in respect of the Bray and Enniskerry Railway Bill ought not to be dispensed with, but that the Bill may be allowed to proceed subject to Railway No. 1 being struck out of the Bill.

That the Standing Orders not complied with in respect of the London County Tramways (No. 1) Bill ought to be dispensed with, and the Bill allowed to proceed, provided that the powers to construct Tramways No. 7, No. 13, No. 6 (Vauxhall and Camberwell Tramway), and one chain double line of Tramway No. 8 (Blackfriars and Kennington Tramway), be struck out of the Bill. Read, and agreed to 1078

Mid-Kent Water Bill—Report from the Select Committee, That the Committee had not proceeded with the consideration of the Bill, the opposition thereto having been withdrawn; read, and ordered to lie on the Table. The Orders made on the 26th of June and Friday last discharged; and Bill committed 1079

Portland Urban District Gas Bill—Report from the Select Committee, That the Committee had not proceeded with the consideration of the Bill, no parties having appeared in opposition thereto; read, and ordered to lie on the Table. The Orders made on the 26th of June and Friday last discharged; and Bill committed 1079

Fraser Settled Chattels Bill [H.L.]—Reported with Amendments 1079

Bournemouth Corporation Bill [H.L.]—Reported with Amendments ... 1079

Belfast and County Down Railway Bill—Reported with an Amendment 1079

Huddersfield Corporation Tramways Bill—Report from the Select Committee, That the Committee had not proceeded with the consideration of the Bill, no parties having appeared in opposition thereto; read, and ordered to lie on the Table. The Orders made on the 26th of June and Thursday last discharged; and Bill committed 1079

Halifax Corporation Bill; Blackpool, St. Anne's, and Lytham Tramways Bill; Metropolitan District Railway Bill—Report from the Committee of Selection, That the Viscount Frankfort de Montmorency be proposed to the House as a Member of the Select Committee on the said Bills in the place of the Lord Monckton (*V. Galway*); read, and agreed to 1080

Bray Urban District Council Bill—Moved, that the Order made on the 12th day of March last, "That no Private Bill brought from the House of Commons shall be read a second time after Tuesday the 26th day of June next," be dispensed with, and that the Bill be now read 2^a; agreed to. Bill read 2^a accordingly, and committed for Thursday next 1080

Roe's Patent Bill [H.L.]—Read 3^a, and passed, and sent to the Commons ... 1080

North Metropolitan Railway and Canal Bill; Lee Conservancy Bill—Read 3^a, with the Amendments, and passed, and returned to the Commons 1080

Alexandra Park Bill; Coventry Corporation Bill; Hastings Corporation Bill; Shannon Water and Electric Power Bill—Brought from the Commons; read 1^a; and referred to the Examiners 1080

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Hartlepool Gas and Water Bill—Returned from the Commons with the Amendments agreed to 1080

Latimer Road and Acton Railway Bill—Returned from the Commons with the Amendment agreed to 1080

Mountain Ash Water Bill [H.L.]—Returned from the Commons with the Amendments made by the Lords to the Amendments made by the Commons agreed to 1081

Cork Electric Tramways Bill [H.L.]—Returned from the Commons agreed to, with Amendments... 1081

London United Tramways Bill—Message to the Commons for leave for Thomas Skewes-Cox, Esquire (a member), to attend the Select Committee 1081

Local Government Provisional Orders (No. 12) Bill (No. 177); Local Government Provisional Orders (No. 14) Bill (No. 178)—Brought from the Commons; read 1ª; to be printed; and referred to the Examiners ... 1081

Electric Lighting Provisional Orders (No. 9) Bill—Committed to a Committee of the whole House 1081

Electric Lighting Provisional Orders (No. 10) Bill—Committed. The Committee to be proposed by the Committee of Selection 1081

Electric Lighting Provisional Orders (No. 12) Bill; Pier and Harbour Provisional Orders (No. 2) Bill—Committed to a Committee of the whole House 1081

Tramways Orders Confirmation (No. 3) Bill [H.L.]—House in Committee (according to Oder). The Amendments proposed by the Select Committee made; further amendments made; Standing Committee negatived. The Report of Amendments to be received on Thursday next 1081

mways Orders Confirmation (No. 4) Bill [H.L.]—Read 3ª (according to Order), and passed, and sent to the Commons 1081

Provisional Order (No. 3) Bill—Read 3ª (according to Order), with the Amendment, and passed, and returned to the Commons 1081

London County Council (Spitalfields Market) Bill—Moved, "That the Bill be recommitted.—(*The Lord Monkswell.*)

DISCUSSION :—

The Earl of Erne ... ... 1090 *Lord Monkswell* 1093
The Chairman of Committees (*The Earl of Morley*) ... 1092

Motion (by leave of the House) withdrawn.

Electric Lighting Provisional Orders (No. 9) Bill — Electric Lighting Provisional Orders (No. 10) Bill—Electric Lighting Provisional Orders (No. 12) Bill—Pier and Harbour Provisional Orders (No. 2) Bill.

The Secretary for Scotland (*Lord Balfour of Burleigh*) 1094 *The Earl of Morley* 1094

Moved, That the Order of the 12th March last, "That no Provisional Order Confirmation Bill brought from the House of Commons shall be read a second time after Tuesday, the 26th day of June next," be dispensed with, and that the Bills be now read 2ª; agreed to; and Bills read 2ª accordingly.

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RETURNS, REPORTS, ETC.

WAR RELIEF FUNDS COMMITTEE—Minutes of evidence given before the War Relief Funds Committee; with appendices to the Report of the Committee, and an index; Presented (by Command), and ordered to lie on the Table 1095

FOREIGN JURISDICTION ACT, 1890, AND MERCHANT SHIPPING ACT, 1894—Order in Council of 29th June, 1900, entitled "The Cyprus Maritime Order in Council, 1900" 1095

MERCHANT SHIPPING ACT, 1894—Order in Council of 29th June, 1900, authorising certain pilot signals 1095

PILOTAGE—Abstract of Returns relating to Pilots and Pilotage in the United Kingdom (in continuation of Parliamentary Paper No. 242, of Session 1899) (as furnished by the various Pilotage Authorities), for the year ended 31st December, 1899 1095

CIVIL LIST PENSIONS—List of all Pensions during the year ended 20th June, 1900, and charged upon the Civil List. Laid before the House (pursuant to Act), and ordered to lie on the Table 1095

POOR LAW ADMINISTRATION (IRELAND)—Return respecting. Laid before the House (pursuant to Order of the 8th of May last), and to be printed. (No. 176) 1095

Mines (Prohibition of Child Labour Underground) Bill—Returned from the Commons with the Amendments agreed to 1095

Colonial Stock Bill [H.L.]—Reported from the Standing Committee without amendment, and to be read 3ª on Thursday next 1095

Railways (Prevention of Accidents) Bill—Reported from the Standing Committee with Amendments. The Report thereof to be received on Thursday next; and Bill to be printed as amended. (No. 175) 1095

Ecclesiastical Assessments (Scotland) Bill; Imitation of County Court Process Bill [H.L.]—Reported from the Standing Committee without amendment, and to be read 3ª on Thursday next 1096

Workmen's Compensation Act (1897) Extension Bill—Reported from the Standing Committee without further amendment. The Report of the Amendment made in Committee of the whole House to be received on Friday next 1096

Charitable Loans (Ireland) Bill—[SECOND READING]—Order of the day for the Second Reading read.

The Lord Chancellor of Ireland (Lord Ashbourne) 1096

Bill read 2ª (according to Order), and committed to a Committee of the whole House on Thursday next.

Town Councils (Scotland) Bill—[SECOND READING]—Order of the Day for the Second Reading read.

Lord Balfour of Burleigh 1096

Bill read 2ª (according to Order), and committed to a Committee of the whole House on Friday, the 20th instant.

Lunacy Regulation (Ireland) Bill [H.L.]—Read 3ª (according to Order); Amendments made; Bill passed, and sent to the Commons 1098

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Beer Retailers' and Spirit Grocers' Licences (Ireland) (No. 2) Bill—House in Committee (according to Order); Amendments made; Bill recommitted to the Standing Committee, and to be printed as amended. (No. 179) 1098

Copyright Bill [H.L.]—Amendments reported (according to Order), and Bill to be read 3ª on Thursday next 1098

Land Registry (New Buildings) Bill—Read 3ª (according to Order), and passed 1098

RIFLE RANGES—Applications for Grants.

DISCUSSION:—

The Earl of Dartmouth 1098
The Secretary of State for War (*The Marquess of Lansdowne*) 1100

House adjourned at half-past Five of the clock.

COMMONS: TUESDAY, 10TH JULY, 1900.

ROYAL ASSENT.

Message to attend the Lords Commissioners. The House went; and, being returned, Mr. SPEAKER reported the Royal Assent to a number of Bills (*see page* 1077) 1102

PRIVATE BILL BUSINESS.

PRIVATE BILLS [LORDS] (STANDING ORDERS NOT PREVIOUSLY INQUIRED INTO NOT COMPLIED WITH)—Mr. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bill, originating in the Lords, and referred on the First Reading thereof, the Standing Orders not previously inquired into, and which are applicable thereto, have not been complied with, viz.:—Crystal Palace Company Bill [Lords]. Ordered, That the Report be referred to the Select Committee on Standing Orders 1103

Reading Corporation (Tramways) Bill—Wolverhampton Gas Bill—Lords Amendments considered, and agreed to 1103

Vale of Rheidol Light Railway Bill—Lords Amendment considered, and agreed to 1103

Edinburgh District Lunacy Board Bill [Lords]—Read the third time and passed, with Amendments 1103

Alexandra Park Bill—As amended, considered. Ordered, That Standing Orders 223 and 243 be suspended, and that the Bill be now read the third time.—(*Mr. Caldwell*). Bill accordingly read the third time, and passed ... 1103

Great Southern and Western Railway Bill [Lords]—As amended, considered; Amendments made; Bill to be read the third time 1103

South Staffordshire Tramways Bill [Lords]—As amended, considered; to be read the third time 1103

Shannon Water and Electric Power Bill—As amended, considered. Ordered, That Standing Orders 223 and 243 be suspended, and that the Bill be now read the third time.—(*Mr. Caldwell.*) Bill accordingly read the third time, and passed 1103

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Glasgow District Tramways Bill [Lords]—Read a second time, and committed 1104

Local Government Provisional Orders (No. 12) Bill; Local Government Provisional Orders (No. 14) Bill; London (St. Luke) Provisional Order Bill; London (Southwark) Provisional Order Bill. Read the third time, and passed 1104

Education Board Provisional Order Confirmation (London) Bill [Lords]—Read a second time.

Motion made, and Question proposed, "That the Bill be committed to a Select Committee."—(*Lord Hugh Cecil.*)

Debate arising, and objection being taken to further proceeding, the debate stood adjourned. Debate to be resumed upon Monday next ... 1104

Electric Lighting Provisional Orders (No. 7) Bill [Lords]; Tramways Orders Confirmation (No. 1) Bill [Lords]—Read a second time, and committed 1104

STANDING ORDERS—Resolutions reported from the Committee:—1. "That, in the case of the Caledonian Railway Bill [Lords], the Standing Orders ought to be dispensed with:—That the parties be permitted to proceed with their Bill."

2. "That, in the case of the South-Eastern and London, Chatham, and Dover Railways Bill [Lords], the Standing Orders ought to be dispensed with:—That the parties be permitted to proceed with their Bill, provided that Clause 49 be struck out of the Bill:—That the Committee on the Bill do report how far such Order has been complied with." Resolutions agreed to 1104

South Eastern and London, Chatham, and Dover Railways Bill [Lords]—Report [this day] from the Select Committee on Standing Orders read. Ordered, That the Bill be read a second time.—(*Mr. Caldwell*) 1105

MESSAGE FROM THE LORDS—London United Tramways Bill—That they do request that this House will be pleased to give leave to Thomas Skewes-Cox, esquire, a Member of this House, to attend in order to his being examined as a witness before the Select Committee appointed by their Lordships on the London United Tramways Bill.

Lords Message requesting the attendance of Mr. Thomas Skewes-Cox considered.

And Mr. Thomas Skewes-Cox, in his place, having consented:—Leave given.

That they have agreed to—Great Eastern Railway Bill; Hamilton, Motherwell, and Wishaw Tramways Bill; St. Albans Water Bill; London and St. Katherine Docks and East and West India Dock Companies Bill, with Amendments.

That they have passed a Bill intituled, "An Act for rendering valid certain letters patent granted to John Pearce Roe for an invention for improvements in apparatus for shipping or transferring coal and other materials." Roe's Patent Bill [Lords] 1105

Roe's Patent Bill [Lords]—Read the first time; and referred to the Examiners of Petitions for Private Bills 1105

PETITIONS.

Factories and Workshops Bill—Petition from Kingston-upon-Hull, for alteration; to lie upon the Table 1105

Local Authorities Officers' Superannuation Bill—Petition from Kingston-upon-Hull, in favour; to lie upon the Table 1105

Sale of Intoxicating Liquors on Sunday Bill—Petitions in favour, from Stony Stratford; Hornsey; and Norwich; to lie upon the Table ... 1105

Sale of Intoxicating Liquors to Children (No. 2) Bill—Petitions in favour, from Retford; Worksop; and Norwich; to lie upon the Table. Petition from Vale of Leven, against; to lie upon the Table 1106

Sunday Closing (Monmouthshire) Bill — Petitions in favour, from Darsham; Retford; Norwich; and Louth; to lie upon the Table 1106

RETURNS, REPORTS, ETC.

Foreign Jurisdiction Act, 1890, and Merchant Shipping Act, 1894—Copy presented, of Order in Council, of the 29th June, 1900, entitled The Cyprus Maritime Order in Council, 1900 [by Act]; to lie upon the Table 1106

Merchant Shipping Act, 1894—Copy presented, of Order in Council, of 29th June, 1900, authorising certain Pilot Signals [by Act]; to lie upon the Table 1106

Pilotage—Copy presented, of Abstract of Returns, relating to Pilots and Pilotage in the United K ngdom (in continuation of Parliamentary Paper, No. 242, of Session 1900) as furnished in the various Pilotage Authorities [by Act]; to lie upon the Table, and to be printed. [No. 265] 1106

War Relief Funds Committee—Copy presented, of Minutes of Evidence given before the Committee, with Appendices, the Report of the Committee, and an Index [by Command]; to lie upon the Table 1106

Civil List Pensions—Copy presented, of List of all Pensions granted during the year ended 20th June, 1900, and charged upon the Civil List [by Act]; to lie upon the Table, and to be printed. [No. 266] 1106

Army Volunteers—Copy presented, of Proposed Regulations under the Volunteers Bill now before Parliament as to special engagements by members of Volunteer Corps [by Command]; to lie upon the Table .. 1106

QUESTIONS.

China—Anti-Foreign Outbreak—Co-operation of Japan in Suppressing Disturbances—Questions, Sir E. Ashmead-Bartlett (Sheffield, Ecclesall), Mr. Maclean (Cardiff), Mr. Lloyd-George (Carnarvon Boroughs), and Mr. Swift MacNeill (Donegal, S.); Answers, The Under-Secretary of State for Foreign Affairs (Mr. Brodrick, Surrey, Guildford) 1107

Position at Peking—Sir Claude MacDonald's Despatches—Question, Sir J. Colomb (Great Yarmouth); Answer, Mr. Brodrick 1108

Naval Guard at the Peking Legation—Question, Sir J. Colomb; Answer, The First Lord of the Admiralty (Mr. Goschen, St. George's, Hanover Square) 1109

South African War—Hospital and Medical Arrangements—Committee of Inquiry—Questions, Mr. Swift MacNeill and Mr. Burdett-Coutts; Answers, The First Lord of the Treasury (Mr. A. J. Balfour, Manchester, E.) 1109

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PROMOTIONS FOR NAVAL OFFICERS SERVING IN SOUTH AFRICA—Question, Sir E. Ashmead-Bartlett; Answer, Mr. Goschen 11

STORES BORROWED BY THE ARMY FROM THE NAVY—Question, Mr. Edmund Robertson (Dundee); Answer, Mr. A. J. Balfour 1111

SHORNCLIFFE CAMP — HOSPITAL ARRANGEMENTS — DEATH OF SERGEANT WILMSHURST—Question, Captain Norton (Newington, W.); Answer, The Under-Secretary of State for War (Mr. Wyndham, Dover) 1111

NAVAL MANŒUVRES OF 1899—WATER TUBE BOILERS—Question, Mr. Gibson Bowles (Lynn Regis); Answer, Mr. Goschen 1112

PAY OF ENGINEERS OF THE FLEET—Question, Sir Fortescue Flannery (Yorkshire, W.R., Shipley); Answer, The Secretary to the Admiralty (Mr. Macartney, Antrim, S.) 1112

INDIA—HONNIBAL SHOOTING CASE—Question, Captain Donelan (Cork, E.); Answer, The Secretary of State for India (Lord G. Hamilton, Middlesex, Ealing) 1113

INDIAN FIELD BATTERIES—Question, Sir Charles Dilke (Gloucestershire, Forest of Dean); Answer, Lord G. Hamilton 1114

COLONIAL CHAPLAINS—CHAPLAINS ROYAL—Question, Mr. Hedderwick (Wick Burghs); Answer, The Secretary of State for the Colonies (Mr. J. Chamberlain, Birmingham, W.) 1114

PACIFIC ISLANDS—INCORPORATION OF CERTAIN GROUPS WITH NEW ZEALAND —Question, Mr. Hogan (Tipperary, Mid); Answer, Mr. J. Chamberlain... 1114

MOROCCO—ANGLO-FRENCH ARRANGEMENTS — Question, Mr. Hedderwick; Answer, Mr. Brodrick 1115

COMMERCIAL TREATY WITH GERMANY—POSITION OF CANADA—Question, General Laurie (Pembroke and Haverfordwest); Answer, Mr. A. J. Balfour 1115

LIGHTHOUSE COMMUNICATION—WIRELESS TELEGRAPHY—Question, Sir R. Penrose-Fitzgerald (Cambridge); Answer, The President of the Board of Trade (Mr. Ritchie, Croydon) 1116

SAVINGS BANKS AND FRIENDLY SOCIETIES BILL—Question, Mr. Gibson Bowles; Answer, The Chancellor of the Exchequer (Sir M. Hicks-Beach, Bristol, W.) 1118

COURT OF CRIMINAL APPEAL—JUDGES ON JURY VERDICTS—Question, Mr. Pickersgill (Bethnal Green, S.W.); Answer, The Secretary of State for the Home Department (Sir M. White Ridley, Lancashire, Blackpool) ... 1118

HISTORICAL MANUSCRIPTS COMMISSION—HARDWICKE PAPERS—Question, Sir Henry Fowler (Wolverhampton, E.); Answer, The Financial Secretary to the Treasury (Mr. Hanbury, Preston) 1118

POSTAL DELAYS IN THE METROPOLIS -Questions, Mr. Cohen (Islington, E.), Sir Henry Fowler, Mr. Gibson Bowles, and Mr. Dillon (Mayo, E.); Answers, Mr. Hanbury 1119

DELAYS IN AUSTRALIAN MAIL DELIVERIES IN LONDON—Question, Mr. Hogan; Answer, Mr. Hanbury 1120

CALEDONIAN RAILWAY—DUMFRIESSHIRE TRAIN SERVICE—Question, Mr. Johnson-Ferguson (Leicestershire, Loughborough); Answer, Mr. Ritchie 1121

FEE GRANTS (SCOTLAND) RETURN—Question, Mr. Caldwell (Lanarkshire, Mid); Answer, The Lord Advocate (Mr. A. Graham Murray, Buteshire) 1121

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COAGH (Co. TYRONE) POSTAL SERVICE—Question, Mr. Doogan (Tyrone, E.); Answer, Mr. Hanbury 1122

IRISH MEDICAL OFFICERS OF HEALTH—Question, Mr. Hogan; Answer, The Chief Secretary for Ireland (Mr. G. W. Balfour, Leeds, Central)... ... 1122

LICENSING CONVICTIONS AT CAHIRCIVEEN—Question, Mr. Flavin (Kerry, N.); Answer, Mr. G. W. Balfour 1123

ROCKCORRY SPIRIT LICENCE CASE—Question, Mr. Macaleese (Monaghan, N.); Answer, Mr. G. W. Balfour 1124

LOCOMOTIVES ON IRISH PUBLIC ROADS—Question, Mr. Macaleese; Answer, Mr. G. W. Balfour 1126

FISHERY REPRESENTATION ON THE IRISH AGRICULTURAL BOARD—Question, Mr. Seton-Karr (Lancashire, St. Helens); Answer, Mr. G. W. Balfour ... 1125

ARKLOW FISHERMEN AND DRIFT-NET FISHING — Question, Mr. James O'Connor (Wicklow, W.); Answer, Mr. G. W. Balfour 1126

IRISH LOCAL GOVERNMENT BOARD AND IRISH COUNTY COUNCILS—Question, Sir Thomas Esmonde (Kerry, W.); Answer, Mr. A. J. Balfour 1126

IRISH NEWSPAPERS IN THE BRITISH MUSEUM — Question, Sir Thomas Esmonde, Mr. Flavin, and Mr. Swift NacNull; Answers, Mr. A. J. Balfour 1126

BUSINESS OF THE HOUSE—Questions, Mr. Edmund Robertson, Sir Charles Dilke, Mr. Tennant (Berwickshire), and Mr. Dillon; Answers, Mr. Goschen and Mr. A. J. Balfour 1126

PUBLIC BUSINESS.

Sunday Closing (Wales) Act (1881) Amendment Bill—Reported from the Standing Committee on Law, etc., with Amendments. Report to lie upon the Table, and to be printed. [No. 267.] Minutes of Proceedings of the Standing Committee to be printed. [No. 267.] Bill, as amended (in the Standing Committee), to be considered on Thursday, and to be printed. [Bill 291] 1127

MESSAGE FROM THE LORDS—That they have passed a Bill intituled "An Act for the regulation of the burning of human remains, and to enable burial authorities to establish crematoria." Cremation Bill [Lords] 1127

STANDING COMMITTEE ON TRADE, ETC., COMPANIES BILL—Motion made, and Question proposed, That, until the conclusion of the consideration of the Companies Bill, the Standing Committee on Trade, etc., have leave to sit every day during the sitting, and notwithstanding the adjournment of the House."—(*Mr. Ritchie.*)

Amendment proposed—

"After the words 'every day,' to insert the words 'on Monday and Friday until half-past Three o'clock.'"—(*Mr. Galloway.*)

Question proposed, "That the words 'every day' stand part of the Question."

DISCUSSION :—

Mr. Brodie Hoare (*Hampstead*) 1130
The President of the Board of Trade (*Mr. Ritchie, Croydon*)... 1131
Sir Alfred Hickman (*Wolverhampton, W.*) 1131
Mr. Lawson Walton (*Leeds, S.*) 1132
Mr. Gibson Bowles (*Lynn Regis*) 1132
Sir Henry Fowler (*Wolverhampton, E.*) 1132
Mr. James Lowther (*Kent, Thanet*) 1134
Mr. Maclean (*Cardiff*) 1134
Mr. Marks (*Tower Hamlets, Stepney*) 1135
Mr. Arthur O'Connor (*Donegal, E.*) 1136
Mr. Ritchie 1137
Mr. Elliot (*Durham*) 1137
Mr. Alexander Cross (*Glasgow, Camlachie*) 1137
Mr. Labouchere (*Northampton*) ... 1137

Amendment, by leave, withdrawn.

Amendment proposed—

"To leave out from the word 'sit,' to the end of the Question, and add the words 'during the sitting of the House.'"—(*Mr. Ritchie.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. Cohen (*Islington, E.*) 1138

Question put, and negatived.

Words added.

Main Question, as amended, put, and agreed to.

Ordered, That, until the conclusion of the consideration of the Companies Bill, the Standing Committee on Trade, etc., have leave to sit during the Sitting of the House.

Agricultural Holdings Bill—As amended (by the Standing Committee), further considered.

New clause—

"Where a tenant is compelled to quit his holding by the act of his landlord for any cause other than the following (that is to say):—

(1) That he has not paid the rent due to his landlord within any period agreed by the contract of tenancy or otherwise; or

(2) That he has persisted in committing or permitting waste, to the prejudice of his landlord, by the dilapidation of buildings or fences, or by the deterioration of the soil, after notice from the landlord not to commit, or permit, or to desist from the particular waste specified in such notice;

the tenant shall be entitled on quitting his holding to obtain from the landlord, in addition to the compensation, if any, due to him under the Act, further compensation in respect to the loss sustained by reason of quitting his holding, and any question under this section, if in dispute, and the amount of such compensation shall be determined by arbitration under this Act, and such compensation shall be separately specified in the award, and shall be recoverable under the provisions of this Act."—(*Mr. Channing.*)

—brought up and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

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Discussion :—

The President of the Board of Agriculture (Mr. Long, Liverpool, West Derby) ... 1141
Mr. Lloyd Morgan (Carmarthenshire, W.) 1143
Mr. James Lowther (Kent, Thanet) 1145
Mr. Herbert Roberts (Denbighshire, W.) 1146
Mr. Alexander Cross (Glasgow, Camlachie) 1146
Mr. Herbert Lewis (Flint Boroughs) 1147
Lord Hugh Cecil (Greenwich) ... 1148
Sir Mark Stewart (Kircudbrightshire) 1149
Mr. Jasper More (Shropshire, Ludlow) 1150

Question put.

The House divided :—Ayes, 111 ; Noes, 207. (Division List No. 200.)

New clause—

"That in the case of crofters or cottars in Scotland, as defined in the Crofters (Scotland) Holdings Acts, 1886, 1887, and 1888 (whose holdings are situated in parishes or counties to which these Acts do not apply), such improvements as are set forth in Part I. of the First Schedule of the Act, which may have been executed or paid for by the crofter or his predecessor in the same family whilst under no written obligation to the landlord to make them, and prior to the passing of this Act, and which will add to the letting value of the holding, shall be compensated for on his leaving the holding, under the procedure provided in this Act, but for such improvements executed after the passing of this Act consent of the landlord will be required."—(*Mr. Gordon.*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

Discussion :—

Mr. Long 1154
Mr. Buchanan (Aberdeenshire, E.) 1155
General Russell (Cheltenham) 1157
Dr. Farquharson (Aberdeenshire, W.) 1158
Sir William Wedderburn (Banffshire) 1159
Mr. Weir (Ross and Cromarty) .. 1160
Mr. Alexander Cross ... 1161

Question put.

The House divided :—Ayes, 123 ; Noes, 196. (Division List No. 201.)

New clause :—

"From and after the passing of this Act notice of termination of tenancy under Section 28 of The Agricultural Holdings (Scotland) Act, 1883, may be given in the same manner as a notice of removal under Section 6 of The Removal Terms (Scotland) Act, 1886."—(*Mr. Hedderwick.*)

—brought up and read the first and second time, and added.

Amendment proposed to the Bill :—

"In page 1, line 6, to leave out the words 'comprised in the First Schedule to this Act.'"—(*Mr. Buchanan.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Discussion :—

Mr. Long 1167
Dr. Farquharson 1168
Mr. Channing (Northamptonshire, E.) 1168
Mr. Jeffreys (Hampshire, N.) ... 1170

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Question put.

The House divided :—Ayes, 170 ; Noes, 91. (Division List No. 202.)

Amendment proposed—

"In page 1, line 12, after the word 'tenant' to insert the words, 'And the tenant of a holding, being an allotment or cottage garden, shall be entitled to obtain from the landlord compensation in money for fruit trees, fruit bushes, drains, and for any outbuildings, pig-sties, fowl-houses, or other structural improvements made by the tenant upon his holding to the extent of one-third of their gross value ; provided always that this compensaiion shall not exceed ten pounds, and that the tenant shall have the right to remove such fruit trees, fruit bushes, outbuildings, pig-sties, and fowl-houses in addition to the right to the aforesaid compensation, and that if the tenancy be determined after notice given by the tenant no right to compensation in money shall exist.'"—(*Mr. Yoxall.*)

Question proposed, "That those words be there inserted."

Mr. Long ... ... 1176 *Mr. Price* (*Norfolk, E.*)... ... 1177

Question put.

The House divided :—Ayes, 76 ; Noes, 134. (Division List No. 203.)

Amendment proposed—

"In page 1, line 12, after the word 'tenant,' to insert the words, 'Provided always that, in estimating the value of any improvement in Schedule I., there shall not be taken into account, as part of the improvement made by the tenant, what is justly due to the inherent capabilities of the soil."—(*Sir Charles Welby.*)

Question proposed, "That those words be there inserted."

DISCUSSION :—

Mr. Long 1181
Earl Percy (*Kensington, S.*) 1182
Lord Willoughby de Eresby (*Lincolnshire, Horncastle*) 1185
Mr. Seale Haynes (*Devonshire, Ashburton*) ... 1185
Mr. Philipps (*Pembrokeshire*) 1186
Mr. Heywood Johnstone (*Sussex, Horsham*) ... 1188
Mr. Haldane (*Haddingtonshire*) 1189
Mr. Vicary Gibbs (*Hertfordshire, St. Albans*) 1191
Serjeant Hemphill (*Tyrone, N.*)... 1193
Mr. Gibson Bowles (*Lynn Regis*) 1195
Capt. Pretyman (*Suffolk, Woodbridge*) 1197
Lord Hugh Cecil (*Greenwich*) ... 1198
Mr. Loyd (*Berkshire, Abingdon*) 1200
Mr. Alexander Cross 1201

Question put.

The House divided :—Ayes, 24 ; Noes, 186. (Division List No. 204.)

Amendment proposed—

"In page 1, line 23, to leave out the words from the word 'manure' to the word 'endured,' inclusive, in line 27, and insert the words, 'that would have been produced by the consumption on the holding according to the rules of good husbandry of any crops sold off and removed from the holding within the last two years of the tenancy, or other less time for which the tenancy has endured, except in so far as a proper return of manure to the holding has been made in respect of such produce so sold off or removed.'"—(*Mr. Haldane.*)

Question proposed, "That the words 'required by' stand part of the Bill."

DISCUSSION :—

Mr. Long 1206
Mr. Moulton (*Cornwall, Launceston*) 1207
Mr. Alexander Cross 1208

Amendment, by leave, withdrawn.

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Amendment proposed—

"In page 1, line 27, after the word 'endured,' to insert the words 'except so far as a proper return of manure to the holding has been made in respect of such produce so sold off or removed, or security has been offered or given by the tenant that such proper and adequate return of manure to the holding will be made at the proper season.' "—(*Mr. Channing.*)

Question proposed, "That those words be there inserted."

The Attorney General (*Sir Robert Finlay, Inverness Burghs*) 1210

Amendment, by leave, withdrawn

Amendment proposed—

"In page 1, line 27, after the word 'endured,' to insert as a new subsection the words, '(5) There shall be taken into account in augmentation of the tenant's compensation any sum which may be found by arbitration under this Act to be due to the tenant in respect of damage to crops by winged or ground game or deer during the last year of the tenancy.' "—(*Mr. Channing.*)

Question proposed, "That those words be there inserted."

DISCUSSION :—

Mr. Long 1212
Mr. Wason (*Clackmannan and Kinross*) 1213
Mr. Hedderwick 1213
Mr. Buchanan 1214
Mr. Moulton 1215
Mr. Weir 1216
Capt. Sinclair (*Forfarshire*) ... 1216
Mr. Heywood Johnstone 1217
Mr. Flavin (*Kerry, N.*) 1217
Mr. Flynn (*Cork, N.*) 1218
Dr. Tanner (*Cork County, Mid*) 1218

Question put.

The House divided :—Ayes, 63 ; Noes, 174. (Division List No. 205.)

Amendment proposed—

"In page 2, line 5, to leave out Clause 2."—(*Lord Hugh Cecil.*)

Question proposed, "That the words of the clause to the first word 'and,' in line 8, stand part of the Bill."

Mr. Long 1223

Amendment, by leave, withdrawn.

Amendment proposed—

"In page 2, line 8, to leave out the words from the word 'Act' to the word 'the,' in line 10."—(*Mr. Buchanan.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Sir Robert Finlay 1223
Mr. Channing 1224

Amendment, by leave, withdrawn.

Bill, as amended (by the Standing Committee), to be further considered to-morrow

Public Works Loans Bill—Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

Debate arising :—

Motion made, and Question proposed, "That the debate be now adjourned."—(*Mr. Dillon.*)

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DISCUSSION :—

The First Lord of the Treasury (Mr. A. J. Balfour, Manchester, E.) 1224 — *Mr. Jonathan Samuel (Stockton)* 1225

It being midnight, the motion for the adjournment of the debate lapsed without Question put, and the debate on the Second Reading stood adjourned.

Debate to be resumed to-morrow.

SUPPLY [6TH JULY]—Resolutions reported.

CIVIL SERVICES AND REVENUE DEPARTMENTS ESTIMATES, 1900–1901.

CLASS II.

1. "That a sum, not exceeding £8,095, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1901, for the Salaries and Expenses of the Office of Her Majesty's Secretary for Scotland and Subordinate Offices, including a Grant in Aid of the Congested District (Scotland) Fund."

2. "That a sum, not exceeding £10,649, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1901, for the Salaries and Expenses of the Fishery Board in Scotland and for Grants in Aid of Piers or Quays."

3. "That a sum, not exceeding £3,221, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1901, for the Salaries and Expenses of the Department of Lunacy in Scotland."

4. "That a sum, not exceeding £2,743, be granted to Her Majesty to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1901, for the Salaries and Expenses of the Department of the Registrar General of Births, etc., in Scotland.

Resolutions agreed to 1226

MEDICAL AND SANITARY ARRANGEMENTS AT THE CAPE—Address for "Return of Correspondence between the hon. Member for Ilkeston and the War Department in relation to Medical and Sanitary Arrangements at the Cape."—(*Sir James Kitson*) 1226

County and Borough Franchise Assimilation (London) Bill—As amended (by the Standing Committee), considered; Bill to be read the third time to-morrow 1226

BUSINESS OF THE HOUSE—On the Motion for Adjournment—Questions, Mr. Jonathan Samuel, Mr. Dillon, and Mr. Patrick O'Brien (Kilkenny); Answers, Mr. A. J. Balfour 1226

Adjourned at ten minutes after Twelve of the clock.

COMMONS: WEDNESDAY, 11TH JULY, 1900.

PRIVATE BILL BUSINESS.

Airdrie and Coatbridge Tramways Bill; Airdrie, Coatbridge, and District Water Trust Bill; Brighton Corporation Bill. Lords Amendments considered, and agreed to 1229

Burnley Corporation Bill [Lords]—Read the third time, and passed, with Amendments 1229

Falkirk and District Water Bill [Lords]—As amended, considered; to be read the third time 1229

Great Indian Peninsula Railway Company Bill—As amended, considered. Ordered, That Standing Orders 223 and 243 be suspended, and that the Bill be now read the third time.—(*Mr. Caldwell.*) Bill accordingly read the third time, and passed 1229

Southport Corporation Bill——As amended, considered. Two clauses added. Ordered, That Standing Orders 223 and 243 be suspended, and that the Bill be now read the third time.—(*Mr. Caldwell.*) Bill accordingly read the third time, and passed 1229

Bexhill and Rotherfield Railway Bill [Lords]—Read a second time, and committed 1229

Dublin Corporation Bill and Clontarf Urban District Council Bill (Joint Committee)—Ordered, That Captain Andrew Knox Galway do attend the Joint Committee on the Dublin Corporation Bill and the Clontarf Urban District Council Bill this day, at One of the clock ... 1229

Caledonian Railway Bill [Lords]—Report [10th July] from the Select Committee on Standing Orders read. Ordered, That the Bill be read a second time 1230

PETITIONS.

Education (Scotland) Bill—Petition from Edinburgh, in favour; to lie upon the Table 1230

Roman Catholic University in Ireland—Petition of the West Midland Baptist Association, against establishment; to lie upon the Table ... 1230

Sale of Intoxicating Liquors to Children (No. 2) Bill—Petitions in favour, from High Littleton; Keynsham; Cannock; Coxhoe; Llantwit; Resolven; Blaengarw; Yeovil; Bramley; and Bearpark; to lie upon the Table ... 1230

Sunday Closing (Monmouthshire) Bill—Petitions in favour, from Dinam; Resolven; High Littleton; and Lancaster; to lie upon the Table ... 1230

VIVISECTION—Petition from London, for prohibition; to lie upon the Table... 1230

RETURNS, REPORTS, ETC.

SOUTH AFRICA (UNWOUNDED SOLDIERS DEAD OR INVALIDED HOME)—Return [presented 5th July] to be printed. [No. 268] 1230

EAST INDIA (INOCULATION AGAINST CHOLERA AND TYPHOID)—Return [presented 9th July] to be printed. [No. 269]... 1231

BUSINESS OF THE HOUSE—

The First Lord of the Admiralty (*Mr. G. J. Goschen, St. George's, Hanover Square*) 1231

Public Works Loans Bill [SECOND READING]—Order read, for resuming Adjourned Debate on Question [10th July], "That the Bill be now read a second time."

Question again proposed.

Debate resumed.

Amendment proposed—

"To leave out the word 'now,' and at the end of the Question to add the words 'upon this day three months.'"—(*Mr. Caldwell.*)

Question proposed, "That the word 'now' stand part of the question."

DISCUSSION :—

Mr. Dillon (*Mayo, E.*) ... 1233
Mr. Lloyd-George (*Carnarvon Boroughs*) 1235
The Financial Secretary to the Treasury (*Mr. Hanbury, Preston*) 1236
Mr. Alfred Thomas (*Glamorganshire, E.*) ... 1239
Sir F. S. Powell (*Wigan*)... 1239
Mr. Jonathan Samuel (*Stockton*)... 1239
Mr. Goddard (*Ipswich*) 1241
Sir Dillwyn Llewelyn (*Swansea Town*) 1242
Mr. Philipps (*Pembrokeshire*) ... 1242
The Chancellor of the Exchequer (*Sir M. Hicks-Beach, Bristol, W.*) 1243
Mr. Flavin (*Kerry, N.*) ... 1244

Amendment, by leave, withdrawn.

Main Question put, and agreed to.

Bill read a second time, and committed for Monday next.

Agricultural Holdings Bill—As amended (by the Standing Committee), further considered.

Clause 2 :—

Amendment proposed to the Bill—

"In page 2, line 10, to leave out the words from the word 'arbitration' to the word 'under,' in line 13."—(*Mr. Channing.*)

Question proposed, "That the words proposed to be left out stand part the Bill."

DISCUSSION :—

The President of the Board of Agriculture (*Mr. Long, Liverpool, West Derby* ... 1248
Mr. Buchanan (*Aberdeenshire, E.*) 1249
Commander Bethell (*Yorkshire, E.R., Holderness*) 1250
Dr. Farquharson (*Aberdeenshire, W.*) 1251
Mr. Hedderwick (*Wick Burghs*)... 1251

Question put.

The House divided :—Ayes, 168 ; Noes, 70. (Division List No. 206.)

Formal Amendments made.

Amendment proposed—

"In page 2, line 24, after the word 'tenant,' to insert the words 'within two years before the determination of the tenancy.'"—(*Mr. Channing.*)

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Question proposed, "That those words be there inserted."

Mr. Long 1257

Question put, and negatived.

Other Amendments made.

Amendment proposed—

"In page 2, line 28, after 'party,' to insert 'given by post or otherwise not later than seven days after the appointment of the arbitrator or arbitrators.'"—(*Mr. Long.*)

Question proposed, "That those words be there inserted."

DISCUSSION:—

Mr. Strachey (*Somersetshire, S.*) 1259
Mr. Jeffreys (*Hampshire, N.*) 1259
Commander Bethell ... 1260
Col. Milward (*Warwickshire, Stratford-on-Avon*) 1260
Mr. Long 1260
Mr. S. T. Evans 1261

The Amendment was amended by leaving out "by post or otherwise" and inserting "by registered letter"; and, so amended, was agreed to.

Formal Amendments made.

Amendment proposed—

"In page 2, line 39, to leave out sub-section (5) of Clause 2, to insert '(5) If the parties concur there may be a single arbitrator appointed by them jointly, but if the parties do not concur in the appointment of a single arbitrator, each of them shall appoint an arbitrator, and the arbitrators so appointed shall appoint an umpire.'"—(*Colonel Milward.*)

Question proposed, "That the words 'An arbitrator shall' stand part of the Bill."

Mr. Long 1262

Amendment, by leave, withdrawn.

Amendment proposed—

"In page 2, line 39, to leave out the words, 'unless the parties otherwise agree.'"—(*Mr. Buchanan.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

The Attorney General (*Sir Robert Finlay, Inverness Burghs*) 1264

Question put.

The House divided:—Ayes, 189; Noes, 77. (Division List No. 207.)

Amendment proposed—

"In page 3, line 4, to leave out from the word 'final,' to the end of Sub-section 6 of Clause 2."—(*Mr. Buchanan.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Sir Robert Finlay 1268
Mr. Heywood Johnstone (*Sussex, Horsham*) 1268

Amendment, by leave, withdrawn.

Amendment proposed—

"In page 3, line 13, after the word 'applies,' to insert the words, '(9) all claims, whether by tenant or landlord, shall be in writing.'"—(*Mr. Channing.*)

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Question proposed, "That those words be there inserted."

Sir Robert Finlay 1269

Amendment, by leave, withdrawn.

Amendment proposed—

"In page 3, line 34, to leave out the word 'sub-section,' and insert the word 'section.'"—(*Mr. Buchanan.*)

Question proposed, "That the word 'sub-section' stand part of the Bill."

Mr. Long 1270

Question put.

The House divided :—Ayes, 170 ; Noes, 71. (Division List No. 208.)

Motion made, and Question proposed, "That further proceedings on consideration, as amended (by the Standing Committee), be adjourned till To-morrow."—(*Mr. Moulton.*)

Discussion :—

Mr. Dillon (*Mayo, E.*) ... 1271
The First Lord of the Treasury (*Mr. A. J. Balfour, Manchester, E.*) 1275
Mr. Moulton (*Cornwall, Launceston*) 1275
Mr. John Wilson (*Durham, Mid*) 1276
Mr. Maddison (*Sheffield, Brightside*) 1276
Mr. Swift MacNeill (*Donegal S.*) 1278

Mr. A. J. Balfour rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

The House divided :—Ayes, 137 ; Noes, 50. (Division List No. 209.)

Question put accordingly : "That further proceedings on Consideration, as amended (by the Standing Committee), be adjourned till To-morrow."

The House divided :—Ayes, 138 ; Noes, 47. (Division List No. 210.)

Post Office Sites (Recommitted) Bill—Considered in Committee.

[Mr. Grant Lawson (Yorkshire, N.R., Thirsk) in the Chair.]

Clause 1 :—

Question again proposed, "That Clause 1 stand part of the Bill."—(*Mr. Caldwell, Lanarkshire, Mid.*)

Attention called to the fact that forty Members were not present. (*Mr. Galloway.*)

The usual interval having elapsed, and forty Members not being present,

The House adjourned at ten minutes after Five of the clock.

LORDS : THURSDAY, 12th JULY, 1900.

PRIVATE BILL BUSINESS.

The Lord Chancellor acquainted the House that the Clerk of the Parliaments had laid upon the Table the Certificates from the Examiners that the further Standing Orders applicable to the following Bills have been complied with :—Newcastle-upon-Tyne Electric Supply ; Newry, Keady, and Tynan Light Railway. Also the Certificates that no Standing Orders

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are applicable to the following Bills:—Local Government (Ireland) Provisional Orders (Housing of Working Classes) (No. 2); Local Government (Ireland) Provisional Orders (No. 4). And also the Certificates that the Standing Orders applicable to the following Bills have been complied with:—Local Government (Ireland) Provisional Orders (No. 3); Local Government Provisional Orders (No. 10); Local Government Provisional Orders (No. 15). The same were ordered to lie on the Table 1285

Great Northern Railway (Ireland) Bill—A witness ordered to attend the Select Committee, and to produce documents 1285

Oldham Corporation Bill—Bradford Corporation Bill—Great Northern Railway Bill—Reported with Amendments 1285

Bray Urban District Council Bill—Reported without Amendment ... 1285

Midland Railway Bill—The Queen's consent (in right of Her Duchy of Lancaster) signified, and Bill reported with Amendments 1285

Great Western Railway Bill—Report from the Committee of Selection, That the Viscount Frankfort de Montmorency be proposed to the House as a member of the Select Committee on the said Bill in the place of the Lord Monckton (*V. Galway*); read, and agreed to 1286

Plymouth, Stonehouse, and Devonport Tramways Bill; Cumberland County Council (Bridges) Bill; Croydon Tramways and Improvements Bill; London County Tramways (No 1) Bill; Scarborough Corporation Bill—Moved, That the Order made on the 12th day of March last, "That no Private Bill brought from the House of Commons shall be read a second time after Tuesday the 26th day of June next," be dispensed with, and that the Bills be now read 2ª; agreed to; and Bills read 2ª accordingly 1286

Plymouth, Stonehouse, and Devonport Tramways Bill—Committed. The Committee to be proposed by the Committee of Selection 1286

Cumberland County Councils (Bridges) Bill—Committed 1286

Croydon Tramways and Improvements Bill; London County Tramways (No. 1) Bill—Committed. The Committees to be proposed by the Committee of Selection 1286

Scarborough Corporation Bill—Committed 1286

Wellingborough and District Tramroads Bill; Nottingham Corporation Bill—Read 3ª, with the Amendments, and passed, and returned to the Commons 1286

Great India, Peninsula Railway Company Bill; Southport Corporation Bill—Brought from the Commons; read 1ª; and referred to the Examiners 1286

Airdrie and Coatbridge Tramways Bill; Airdrie, Coatbridge, and District Water Trust Bill; Brighton Corporation Bill; Reading Corporation (Tramways) Bill; Wolverhampton Gas Bill—Returned from the Commons with the Amendments agreed to 1287

Vale of Rheidol Light Railway Bill—Returned from the Commons with the Amendment agreed to 1287

Burnley Corporation Bill [H.L.]; Edinburgh District Lunacy Board Bill [H.L.]—Returned from the Commons agreed to, with Amendments ... 1287

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London United Tramways Bill—Message from the Commons giving leave to Thomas Skewes-Cox, Esquire (a member), to attend the Select Committee (pursuant to message of Tuesday last) 1287

Great Southern and Western and Waterford. Limerick and Western Railway Companies Amalgamation Bill [H.L.]; Midland Great Western Railway of Ireland Bill [H.L.]; Great Southern and Western and Waterford and Central Ireland Railway Companies Amalgamation Bill [H.L.]—Leave given to the Joint Committee to report from time to time 1287

Midland Great Western Railway of Ireland Bill [H.L.]—Reported from the Joint Committee with Amendments 1287

Great Yarmouth Port and Haven Bill—Commons Amendments to Lords Amendments considered, and agreed to 1287

London (St. Luke) Provisional Order Bill (No. 180); London (Southwark) Provisional Order Bill (No. 181)—Both from the Commons; read 1ª; to be printed; and referred to the Examiners 1287

London (Clerkenwell and Holborn) Provisional Order Bill; London (Poplar) Provisional Order Bill—Moved, That the Order of 12th March last, "That no Provisional Order Confirmation Bill brought from the House of Commons shall be read a second time after Tuesday, the 26th day of June next," be dispensed with, and that the Bills be now read a second time; agreed to; Bills read 2ª accordingly, and committed to a Committee of the whole House 1288

Tramways Orders Confirmation (No. 3) Bill [H.L.]—Amendments reported (according to Order), and Bill to be read 3ª To-morrow 1288

RETURNS, REPORTS, ETC.

TRADE REPORTS (MISCELLANEOUS SERIES)—No. 532, United States (Mining Industry of Colorado). No. 533, Russia (Trans-Siberian Railway) ... 1288

NAVY.—I. ESTIMATES.—1. Estimate of the further Amount which will be required during the year ending 31st March, 1901, beyond the sum already provided in the Grants for Navy Services for the year (Parliamentary Paper No. 41, Session 1900) to meet additional expenditure arising on the under-mentioned Votes.

2. Statement of the First Lord of the Admiralty explanatory of the Additional Estimate for Her Majesty's Navy for the year 1900–1.

II.—BOILERS.—1. Memorandum respecting Water-tube Boilers in Her Majesty's ships.

2. Statement of the First Lord of the Admiralty respecting Water-tube Boilers in Her Majesty's ships 1288

NATIONAL EDUCATION (IRELAND)—Extracts from forthcoming Code of Rules and Regulations of the Commissioners of National Education, Ireland, for the year 1900–1 1288

New Rules and Regulations in operation for the year 1900–1.

Presented (by Command), and ordered to lie on the Table.

PETITION.

VIVISECTION—Petition for restriction of the practice of; of meeting in London; read, and ordered to lie on the Table.

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Merchant Shipping (Liability of Shipowners and Others) Bill—[SECOND READING]—Order of the Day for the Second Reading read.

Moved, "That the Bill be now read a second time."—(*Lord Heneage.*)

DISCUSSION :—

Lord Macnaghten 1293
The Secretary for Scotland (*Lord Balfour of Burleigh*) 1294
The Lord Chancellor (*The Earl of Halsbury*) 1297

On Question, agreed to ; Bill read 2ª accordingly, and committed to a Committee of the whole House to-morrow.

County Courts (Ireland) Bill [H.L.]—[SECOND READING]—Order of the Day for the Second Reading read.

The Lord Chancellor of Ireland (*Lord Ashbourne*) 1298

Bill read 2ª (according to Order), and committed to a Committee of the whole House To-morrow.

Cruelty to Wild Animals in Captivity Bill—House in Committee (according to Order).

Lord James of Hereford 1299

The Amendments were agreed to.

Bill recommitted to the Standing Committee, and to be printed, as amended. [No. 182.]

Colonial Stock Bill [H.L.]—Read 3ª (according to Order), and passed, and sent to the Commons 1299

Railways (Prevention of Accidents) Bill—Amendments reported (according to Order), and Bill to be read 3ª To-morrow 1299

Ecclesiastical Assessments (Scotland) Bill—Read 3ª (according to Order), and passed 1299

Imitation of County Court Process Bill [H.L.]—Read 3ª (according to Order), and passed, and sent to the Commons 1299

Charitable Loans (Ireland) Bill—House in Committee (according to Order) ; Bill reported without amendment ; and re-committed to the Standing Committee 1299

Copyright Bill [H.L.]—Read 3ª (according to Order), and passed, and sent to the Commons 1299

THE PARLIAMENTARY DEBATES—FREE DISTRIBUTION TO PEERS—Question, Lord Hawkesbury ; Answer, The Lord Privy Seal (Viscount Cross) ... 1300

House adjourned at a quarter-past Five of the clock.

COMMONS : THURSDAY, 12TH JULY, 1900.

PRIVATE BILL BUSINESS.

Spalding Urban District Council (Water) Bill (By Order)—Order read for resuming Adjourned Debate on Question [5th July], "That this House doth agree with the Lords Amendments in page 6, line 21, to leave out from '1889,' to end of Clause 9."

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Question again proposed.

Debate resumed.

Mr. Reckitt (*Lincolnshire, Brigg*) 1301

Question put and agreed to.

Subsequent Amendment agreed to.

Exmouth Urban District Water Bill [Lords]—Read the third time and passed, with Amendments [New Title] 1301

Falkirk Corporation Bill [Lords]—A Verbal Amendment made; Bill read the third time, and passed, with Amendments 1301

Fishguard and Rosslare Railways and Harbours Bill [Lords]—Queen's consent signified. Read the third time, and passed, without amendment 1301

Rhymney Railway Bill [Lords]—Read the third time, and passed, with Amendments 1301

London (St. Marylebone) Provisional Order Bill—Reported without amendment [Provisional Orders confirmed]; Report to lie upon the Table. Bill to be read the third time To-morrow 1301

Electric Lighting Provisional Orders (No. 6) Bill [Lords]—Reported, without amendment [Provisional Orders confirmed]; Report to lie upon the Table. Bill to be read the third time To-morrow 1302

Electric Lighting Provisional Orders (No. 8) Bill [Lords]—Reported, without amendment [Provisional Orders confirmed]; Report to lie upon the Table. Bill to be read the third time To-morrow 1302

Gas Orders Confirmation (No. 1) Bill [Lords]—Reported, with Amendments [Provisional Orders confirmed]. Report to lie upon the Table. Bill, as amended, to be considered To-morrow 1302

Dearne Valley Railway Bill [Lords]—Reported, without amendment. Report to lie upon the Table, and to be printed 1302

Great Grimsby Street Tramways Bill [Lords]; Bury and District Water (Transfer) Bill [Lords]; Mersey Railway Bill [Lords]; Rawmarsh Urban District Council (Tramways) Bill [Lords]—Reported, with Amendments. Reports to lie upon the Table, and to be printed 1302

Westgate and Birchington Water Bill [Lords]—Reported, without amendment. Report to lie upon the Table, and to be printed. Bill to be read the third time 1302

Muirkirk, Mauchline, and Dalmellington Railways (Abandonment) Bill [Lords]—Reported, without amendment. Report to lie upon the Table, and to be printed 1302

Margate Pier and Harbour Bill [Lords]—Reported, with Amendments. Report to lie upon the Table, and to be printed 1302

Preston Corporation Bill [Lords]—Reported from the Select Committee on Police and Sanitary Regulations Bills (Section A), with Amendments. Report to lie upon the Table, and to be printed 1303

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MESSAGE FROM THE LORDS—That they have agreed to the Gas Provisional Order (No. 3) Bill, with an Amendment.

That they have agreed to the North Metropolitan Railway and Canal Bill and the Lee Conservancy Bill, with Amendments.

That they have passed a Bill intituled, "An Act to confirm certain Provisional Orders made by the Board of Trade under the Tramways Act, 1870, relating to Ashton-under-Lyne Corporation Tramways, Garston Tramway, Gorton Urban District Council Tramways, Plymouth Corporation Tramways, Taunton Tramways, and Warrington Corporation Tramways." Tramways Orders Confirmation (No. 4) Bill [Lords] ... 1303

Tramways Orders Confirmation (No. 4) Bill [Lords]—Read the first time; referred to the Examiners of Petitions for Prrivate Bills, and to be printed. [Bill 292] 1303

PETITIONS.

Sale of Intoxicating Liquors to Children (No. 2) Bill—Petitions in favour, from Blaby; and Kirkdale; to lie upon the Table 1303

RETURNS, REPORTS, ETC.

NATIONAL EDUCATION (IRELAND)—Copy presented, of Extracts from forthcoming code of rules and Regulations of the Commissioners of National Education in Ireland for the year 1900–1901 [by Command]; to lie upon the Table 1303

NAVY (ADDITIONAL ESTIMATE, 1900–1901)—Estimate presented, of the Further Amount which will be required during the year ending 31st March, 1901, beyond the Sum already provided in the Grants for Navy Services for the year [by Command]; referred to the Committee of Supply, and to be printed. [No. 270] 1303

NAVY (STATEMENT EXPLANATORY OF ADDITIONAL ESTIMATE)—Copy presented, of Statement of the First Lord of the Admiralty explanatory of the Additional Estimate for Naval Services for the year 1900–1901 [by Command]; to lie upon the Table 1304

NAVY (BOILERS)—Copy presented, of Memorandum respecting Water-tube Boilers in Her Majesty's Ships [by Command]; to lie upon the Table ... 1304

TRADE REPORTS (MISCELLANEOUS SERIES)—Copy presented, of Diplomatic and Consular Reports, Miscellaneous Series, Nos. 532 and 533 [by Command]; to lie upon the Table 1304

QUESTIONS.

CHINA—ANTI-FOREIGN OUTBREAK—LATEST NEWS—Questions, Sir H. Campbell Bannerman (Stirling Burghs), Sir E. Ashmead-Bartlett (Sheffield, Ecclesall), Mr. Monk (Gloucester), and Mr. James Lowther (Kent, Thanet); Answers, The Under-Secretary for Foreign Affairs (Mr. Brodrick, Surrey, Guildford), and The First Lord of the Treasury (Mr. A. J. Balfour, Manchester, E.) 1304

COMMAND OF THE ALLIED FORCES—COMMAND OF THE BRITISH FORCE—Question, Sir E. Ashmead-Bartlett; Answer, Mr. A. J. Balfour 1305

ANGLO-JAPANESE UNDERSTANDING—Questions, Mr. Flavin (Kerry, N.) and Mr. Maclean (Cardiff); Answers, Mr. A. J. Balfour 1305

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ORIGIN AND WARNINGS OF THE OUTBREAK—SIR CLAUDE MACDONALD'S DESPATCHES—Question, Mr. Maclean; Answer, Mr. Brodrick 1306

BRITISH EXPORTS OF AMMUNITION TO CHINA—Questions, Mr. Swift MacNeill (Donegal, S.) and Mr. Warner (Staffordshire, Lichfield); Answers, The Under-Secretary of State for War (Mr. Wyndham, Dover) 1306

INDIAN TROOPS FOR CHINA—COST—Question, Mr. Buchanan (Aberdeenshire, E.); Answer, The Secretary of State for India (Lord G. Hamilton, Middlesex, Ealing) 1307

INOCULATION AGAINST ENTERIC OF SOLDIERS ORDERED ABROAD—Question, Mr. Bartley (Islington, N.); Answer, Mr. Wyndham 1307

SOUTH AFRICAN WAR—COST OF THE WAR—CONTRIBUTION FROM THE TRANSVAAL MINES—Questions, Mr. Buchanan and Mr. Swift MacNeill; Answers, The Chancellor of the Exchequer (Sir M. Hicks-Beach, Bristol, W.) 1308

HOSPITAL AND MEDICAL ARRANGEMENTS—COMMITTEE OF INQUIRY—Question, Mr. Swift MacNeill, Mr. Edmund Robertson (Dundee), Mr. Labouchere (Northampton), Mr. Warner, Mr. Dillon (Mayo, E.), Mr. Weir (Ross and Cromarty), and Captain Donelan (Cork, E.); Answers, Mr. A. J. Balfour 1309

BLOEMFONTEIN—ADMISSIONS AND DEATHS FROM ENTERIC—Question, Sir Walter Foster (Derbyshire, Ilkeston); Answer, Mr. Wyndham 1311

SETTLEMENT OF SOLDIERS IN SOUTH AFRICA AFTER THE WAR—Questions, Sir James Rankin (Hereford) and Mr. Dillon; Answers, Mr. A. J. Balfour ... 1311

CHAPLAINS IN VOLUNTEER CAMPS—Question, Mr. Lees Knowles (Salford, W.); Answer, Mr. Wyndham 1312

PAY OF MILITIA MAJORS—Question, Mr. Boscawen (Kent, Tonbridge); Answer, Mr. Wyndham 1312

BRITISH WAR SHIP OFF ZANZIBAR—Question, Mr. J. A. Pease (Northumberland, Tyneside); Answer, The Civil Lord of the Admiralty (Mr. Austen Chamberlain, Worcestershire, E.) 1313

ABYSSINIAN BOUNDARIES—EXPEDITION TO LAKE RUDOLPH—Question, Sir Charles Dilke (Gloucestershire, Forest of Dean); Answer, Mr. Brodrick 1313

NEW PACIFIC CABLE—Question, Sir Edward Sassoon (Hythe); Answer, The Secretary of State for the Colonies (Mr. J. Chamberlain, Birmingham, W.) 1313

INDIAN TELEGRAPHIC TARIFF—Question, Sir Edward Sassoon; Answer, Lord G. Hamilton 1314

INDIAN FAMINE—LOAN BILL—Question, Mr. Buchanan; Answer, Lord G. Hamilton 1314

WALTHAMSTOW PETTY SESSIONS—Question, Mr. Woods (Essex, Walthamstow); Answer, The Secretary of State for the Home Department (Sir M. White Ridley, Lancashire, Blackpool) 1314

G.P.O.—REMOVAL TO MOUNT PLEASANT—OVERTIME PAY—Question, Mr. Steadman (Tower Hamlets, Stepney); Answer, The Financial Secretary to the Treasury (Mr. Hanbury, Preston) 1315

POSTMEN'S STRIPES—Question, Mr. Steadman; Answer, Mr. Hanbury ... 1316

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E.C. District Post Offices—Refreshment Arrangements—Question, Mr. Maddison (Sheffield, Brightside); Answer, Mr. Hanbury 1316

Increase of Post Office Staff—Circulation Department—Question, Sir J. W. Maclure (Lancashire, Stretford); Answer, Mr. Hanbury 1316

Electric Lighting Orders — Transfer Forms — Question, Mr. Lough (Islington, W.); Answer, Mr. Hanbury 1317

Railway Bye Laws—New Code—Question, Mr. Weir; Answer, Mr. Hanbury 1317

Dismissal of School Teachers—Right of Appeal—Questions, Sir Joseph Leese (Lancashire, Accrington) and Major Rasch (Essex, S.E.); Answers, The Vice-President of the Committee of Council on Education (Sir J. Gorst, Cambridge University) 1318

Sea-Going Training Ships — Visits to Scottish Coasts — Question, Mr. Weir; Answer, Mr. Austen Chamberlain 1318

Glasgow Post Office—Promotions — Question, Sir J. Stirling-Maxwell (Glasgow College); Answer, Mr. Hanbury 1319

Foreign Trawlers in Moray Firth—Question, Sir William Wedderburn (Banffshire); Answer, The Lord Advocate (Mr. A. Graham Murray, Buteshire) 1320

Drift Net Fishing in the River Forth—Question, Mr. Wason (Clackmannan and Kinross); Answer, Mr. A. Graham Murray 1320

Scotch Fee Grant—Question, Mr. Caldwell (Lanarkshire, Mid); Answer, Mr. A. Graham Murray 1321

Ireland — English Police in Dublin — Question, Mr. Patrick O'Brien (Kilkenny); Answer, Sir M. White Ridley... 1322

Irish Police at Holyhead—Question, Mr. Patrick O'Brien; Answer, The Chief Secretary for Ireland (Mr. G. W. Balfour, Leeds, Central) 1322

County Down Postal Arrangements — Question, Mr. Samuel Young (Cavan, E.); Answer, Mr. Hanbury... 1323

Dublin Sorting Office — Question, Mr. Patrick O'Brien; Answer, Mr. Hanbury 1324

County Kerry Telegraphic Communications — Question, Mr. Flavin; Answer, Mr. Hanbury 1325

Income Tax—Rents of Labourers' Cottages in Ireland—Question, Mr. Patrick O'Brien; Answer, Sir M. Hicks-Beach 1325

County Cork Road Maintenance—Questions, Mr. William Abraham (Cork Co., N.E.) and Capt. Donelan; Answers, Mr. G. W. Balfour 1326

Weir Estate, Co. Fermanagh—Question, Mr. Macaleese (Monaghan, N.); Answer, Mr. G. W. Balfour 1327

Steam Communication with Limerick — Question, Mr. Austin (Limerick, W.); Answer, Mr. G. W. Balfour 1327

Irish Language in Irish Schools — Questions, Mr. Flavin, Mr. Patrick O'Brien, Mr. Flynn (Cork, N.), and Mr. Swift MacNeill; Answers, Mr. G. W. Balfour 1328

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BUSINESS OF THE HOUSE—Questions, Sir H. Campbell-Bannerman, Sir Henry Fowler (Wolverhampton, W.), and Mr. Gibson Bowles (Lynn Regis); Answers, Mr. A. J. Balfour 1329

PUBLIC BUSINESS.

MESSAGE FROM THE LORDS—That they have agreed to the Land Registry (New Buildings) Bill, without Amendment.

That they have passed a Bill intituled, "An Act to amend the Law relating to Lunatics in Ireland." Lunacy Regulation (Ireland) Bill [Lords].

Money-Lending Bill [Lords]—Motion made, and Question proposed, "That the Order [26th June] that the Money-lending Bill [Lords] be committed to the Standing Committee on Trade, etc., be read, and discharged; and that the Bill be committed to the Standing Committee on Law, etc."—(*Sir William Walrond.*)

DISCUSSION:—

Mr. Dillon (*Mayo, E.*) ... 1330
The First Lord of the Treasury (*Mr. A. J. Balfour, Manchester, E.*) ... 1330
Mr. Gibson Bowles (*Lynn Regis*) 1330
The Secretary to the Local Government Board (*Mr. T. W. Russell, Tyrone, S.*) 1332
Mr. Maclean (*Cardiff*) 1332
Sir H. Campbell-Bannerman (*Stirling Burghs*) 1332
Mr. Dillon 1333

Amendment proposed—

"To leave out from the word 'discharged,' to the end of the Question."—(*Mr. Gibson Bowles.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. James Lowther (*Kent, Thanet*) 1334

The House divided:—Ayes, 228; Noes, 61. (Division List No. 211.)

Main Question put, and agreed to.

Ordered, That the Order [26th June] that the Money-lending Bill [Lords] be committed to the Standing Committee on Trade, etc., be read, and discharged; and that the Bill be committed to the Standing Committee on Law, etc.

Agricultural Holdings Bill—As amended (by the Standing Committee), further considered.

Amendment proposed—

"In page 4, line 1, after the word 'provision,' to insert the words 'or exception.'"—(*Mr. Moulton.*)

Question proposed, "That the words 'or exception' be there inserted.

DISCUSSION:—

The Attorney-General (*Sir Robert Finlay, Inverness Burghs*) 1339
Mr. Strachey (*Somersetshire*) 1339
The President of the Board of Agriculture (*Mr. Long, Liverpool, West Derby*) 1340

Amendment, by leave, withdrawn.

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Amendment proposed—

"In page 4, line 1, after the word 'tenancy,' to insert the words 'made after the passing of this Act.'"—(*Lord Hugh Cecil.*)

Question proposed, "That those words be there inserted."

DISCUSSION :—

Mr. Long 1341
Earl Percy (*Kensington, S.*) 1343
Mr. Moulton (*Cornwall, Launceston*) 1344
Commander Bethell (*Yorkshire, N.R., Holderness*) 1344
Sir W. Hart-Dyke (*Kent, Dartford*) 1345

Amendment, by leave, withdrawn.

Amendment proposed—

"In page 4, line 11, to leave out Clause 7."—(*Mr. Lopes.*)

Question proposed, "That the words of the clause to the word 'more,' in line 12, stand part of the Bill."

Mr. Long 1348

Question put, agreed to.

Remaining words of the clause omitted.

Amendment proposed—

"In page 4, line 20, after the word 'Act,' to insert the words, 'provided that, in the case of an improvement such as is described in paragraph twenty-eight in Part III. of the First Schedule to this Act, where any such improvement has been carried out within three years before the determination of the tenancy, compensation may be claimed and obtained under the provisions of this Act.'"—(*Mr. Jeffreys.*)

Question proposed, "That those words be there inserted.

Mr. Long 1350

Amendment, by leave, withdrawn.

Another Amendment made.

Amendment proposed—

"In page 4, line 26, to leave out Clause 10."—(*Mr. Buchanan.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Mr. Long 1351

Question put.

The House divided :—Ayes, 222 ; Noes, 105. (Division List No. 212.)

Amendment proposed—

"In page 6 (First Schedule), line 5, after the word 'buildings,' to insert the words 'except cottages for agricultural labourers.'"—(*Sir William Wedderburn.*)

Question proposed, "That those words be there inserted."

Mr. Long 1357
Mr. Buchanan (*Aberdeenshire, E.*) 1357

Question put, and negatived.

Amendment proposed—

"In page 6, line 8, to leave out the words 'exceeding one acre.'"—(*Earl Percy.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

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DISCUSSION :—

Mr. Long 1360
Mr. James Lowther (*Kent, Thanet*) 1361
Mr. Jeffreys (*Hampshire, N.*) 1362
Capt. Pretyman (*Suffolk, Woodbridge*) 1362
Mr. Wallace (*Perth*) ... 1363
Mr. Vicary Gibbs (*Herts, St. Albans*) 1364
Mr. Perks (*Lincs., Louth*) ... 1365
Mr. Hardy (*Kent, Ashford*) 1366
Sir J. Stirling-Maxwell (*Glasgow, College*) 1367
Mr. Johnson Ferguson (*Leicestershire, Loughborough*) 1367
Lord Hugh Cecil (*Greenwich*) ... 1367
Mr. Philipps (*Pembrokeshire*) ... 1368
Mr. Grant Lawson (*Yorks, N.R., Thirsk*) 1369
Mr. Heywood Johnston (*Sussex, Horsham*) 1369
Commander Bethell 1370

Question put.

The House divided : Ayes, 231 ; Noes 53. (Division List No. 213.)

Amendment proposed—

"In page 6, line 10, to leave out the words 'exceeding one acre.'"—(*Earl Percy.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

DISCUSSION :—

Sir Robert Finlay 1373
Mr. J. Lowther 1373
Lord Hugh Cecil 1375
Commander Bethell 1375
Mr. Long 1375

Question put, and agreed to.

Amendment proposed—

"In page 6, line 19, after the words 'waste land,' to insert the words, 'exceeding one acre.'"—(*Sir William Wedderburn.*)

Question proposed, "That those words be there inserted."

DISCUSSION :—

Mr. Long 1378
Mr. Hedderwick (*Wick Burghs*) 1378

Question put.

The House divided :—Ayes, 60 ; Noes, 126. (Division List No. 214.)

Another Amendment made.

Amendment proposed—

"In page 6, after line 26, to insert the words, '(16) erection or enlargement of buildings for the purpose of the trade or business of a farmer.'"—(*Mr. Seale-Hayne.*)

Question proposed, "That those words be there inserted."

Mr. Long 1382

Question put.

The House divided :—Ayes, 45 ; Noes, 112. (Division List No. 215.)

A formal Amendment agreed to.

Amendment proposed—

"In page 7, line 12, to leave out paragraph 28 of Schedule 1, and insert the words, 'Laying down pasture with clover, grass, lucerne, sainfoin, or other similar seeds, which shall not have been sown more than three years previous to the termination of the lease, from which no hay crop shall have been taken, and which shall not have been treated with exhausting artificial manures.'"—(*Mr Shaw-Stewart.*)

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Question proposed, "That the words proposed to be left out stand part of the Bill."

DISCUSSION :—

Mr. Long 1386
Mr. Humphreys-Owen (*Montgomeryshire*) 1386
Mr. Loyd (*Berkshire, Abingdon*) 1386

Amendment, by leave, withdrawn.

Amendment proposed—

"In page 8, to insert, as a new paragraph, before paragraph (10)—

"'(10) The award shall, so far as possible, specify the several improvements, acts, or things in respect of which compensation is awarded, and the sum awarded in respect of each."—(*Mr. Heywood Johnstone.*)

Question proposed, "That those words be there inserted."

Mr. Long 1391

Amendment, by leave, withdrawn.

Amendment proposed—

"In page 8, line 21, at the beginning of paragraph (10), to insert the words, 'The arbitrator shall on the application of either party specify the amount awarded in respect of any particular improvement, and."—(*Earl Percy.*)

Question proposed, "That those words be there inserted."

DISCUSSION :—

Mr. Perks 1392
Mr. Heywood Johnstone ... 1392
Mr. Hedderwick 1392
Mr. Long 1393
Mr. Humphreys-Owen 1393
Mr. Radcliffe Cooke (*Hereford*) ... 1393
Commander Bethell 1393
Sir Robert Finlay 1393

Amendment amended, by inserting after the word "improvement," the words "or improvements."

Words, as amended, inserted.

Other Amendments made.

Bill to be read third time upon Monday next

Housing of the Working Classes Act (1890) Amendment Bill—[THIRD READING.]—Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."

DISCUSSION :—

Mr. Steadman (*Tower Hamlets, Stepney*) 1394
Mr. Cohen (*Islington, E.*) ... 1398
Mr. Robson (*South Shields*) 1399
Mr. Wylie (*Dumbartonshire*) 1405
Mr. Jonathan Samuel (*Stockton*) 1407
Mr. John Burns (*Battersea*) ... 1410
The President of the Local Government Board (*Mr. Chaplin, Lincs., Sleaford*) 1417
Sir Walter Foster (*Derbyshire, Ilkeston*) 1420

It being Midnight, Mr. SPEAKER proceeded to interrupt the Business, whereupon Mr. CHAPLIN rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

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The House divided :—Ayes, 108 ; Noes, 38. (Division List No. 216.)

Question put accordingly, and agreed to.

Bill read the third time, and passed.

County and Borough Franchise Assimilation (London) Bill—Read the third time, and passed 1424

Adjourned at a quarter after Twelve of the clock.

LORDS: FRIDAY, 13TH JULY, 1900.

PRIVATE BILL BUSINESS.

The LORD CHANCELLOR acquainted the House that the Clerk of the Parliaments had laid upon the Table the Certificate from the Examiners that the Standing Orders applicable to the following Bill have been complied with :—Tramways Provisional Orders (No. 5). The same was ordered to lie on the Table 1425

Hastings Corporation Bill; Tottenham Urban District Council Bill—Reports of Her Majesty's Attorney General received, and ordered to lie on the Table 1425

Blackpool, St. Anne's, and Lytham Tramways Bill—Report from the Select Committee, That the Committee had not proceeded with the consideration of the Bill, the opposition thereto having been withdrawn; read, and ordered to lie on the Table. The Orders made on the 28th of June and the 5th of July last discharged ; and Bill committed 1425

Ilfracombe Improvement Bill—The Queen's consent signified ; and Bill reported with Amendments 1425

Lambeth Water Bill—Reported from the Select Committee with Amendments 1425

South Lancashire Tramways Bill—Reported from the Select Committee with Amendments 1425

Halifax Corporation Bill—Reported from the Select Committee with Amendments 1425

Edinburgh District Lunacy Board Bill [H.L.]; Cork Electric Tramways Bill [H.L.]—Commons Amendments considered, and agreed to 1425

Sunderland Corporation Bill [H.L)—The CHAIRMAN OF COMMITTEES informed the House that the opposition to the Bill was withdrawn. The Order made on the 28th May last discharged, and Bill committed for Monday next 1426

Bray and Enniskerry Railway Bill; Newcastle-upon-Tyne Electric Supply Bill; Newry, Keady, and Tynan Light Railway Bill—Moved, That the Order made on the 12th day of March last, "That no Private Bill brought from the House of Commons shall be read a second time after Tuesday the 26th day of June next," be dispensed with, and that the Bills be now read 2^a; agreed to ; and Bills read 2^a accordingly, and committed. The Committees to be proposed by the Committee of Selection 1426

Bournemouth Corporation Bill [H.L.]—Read 3^a, and passed, and sent to the Commons 1426

July 13.] *Page*

Fishguard and Rosslare Railways and Harbours Bill [H.L.]—Returned from the Commons agreed to 1426

Spalding Urban District Council (Water) Bill — Returned from the Commons with the Amendments agreed to 1426

Exmouth Urban District Water Bill [H.L.]—Returned from the Commons agreed to, with Amendments... 1426

Falkirk Corporation Bill [H.L.]; Rhymney Railway Bill [H.L.]—Returned from the Commons agreed to, with Amendments. The said Amendments considered and agreed to 1426

Electric Lighting Provisional Orders (No. 12) Bill—House in Committee (according to Order). Amendments made. Standing Committee negatived. The Report of Amendments to be received on Monday next ... 1426

Tramways Orders Confirmation (No. 3) Bill [H.L.)—Read 3ª (according to Order), and passed, and sent to the Commons 1426

Great Southern and Western and Waterford and Central Ireland Railway Companies Amalgamation Bill [H.L.]—Report from the Committee of Selection, That the Lord Heneage be proposed to the House as a member of the Select Committee on the said Bill in the place of the Lord Chelmsford; read, and agreed to 1427

RETURNS, REPORTS, ETC.

COMMERCIAL (No. 2), 1900—Reports from Her Majesty's Representatives abroad on Trade Marks Laws and Regulations: Part I. Presented (by Command), and ordered to lie on the Table 1427

FACTORY AND WORKSHOP (PARTICULARS OF PIECE-WORK WAGES: PEN-MAKING)—Order made by the Secretary of State for the Home Department, dated 12th July, 1900, applying with modifications the provisions of Section 40 of the Factory and Workshop Act, 1895, to factories and workshops in which is carried on the making of pens. Laid before the House (pursuant to Act), and ordered to lie on the Table... 1427

CHINA—ANTI-FOREIGN OUTBREAK—RECENT NEWS—Question, The Earl of Kimberley; Answer, The Prime Minister and Secretary of State for Foreign Affairs (The Marquess of Salisbury) 1427

MILITIA ESTABLISHMENT — STATISTICS—Question, The Earl of Wemyss; Answer, The Secretary of State for War (The Marquess of Lansdowne) ... 1427

WORKMEN'S COMPENSATION ACT (1897) EXTENSION BILL—Amendment reported (according to Order).

Amendment moved—

"In page 1, line 15, after 'uses' to insert 'horses or.'"—(*Lord Herries.*)

DISCUSSION:—

Viscount Cross 1432
Lord Herries 1432
The Chairman of Committees (The Earl of Morley) ... 1432
Lord Alverstone 1432
Lord Heneage 1432

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On Question, "That the words 'horses or' be here inserted," their Lordships dividied:—Contents, 22; Not-Contents, 25.

Bill to be read 3ª on Monday next.

Merchant Shipping (Liability of Shipowners and others) Bill—House in Committee (according to order).

Clause 1 agreed to.

Clause 2:—

Amendment moved—

"In clause 2, line 27, after 'has' to insert 'been built or fitted out within such area or that it has.'"—(*Lord Macnaghten.*)

Lord Heneage 1433

On Question, Amendment agreed to.

On Question, "That Clause 2, as amended, stand part of the Bill."

DISCUSSION:—

Lord Alverstone 1433
Earl Egerton 1434
Lord Avebury 1435
Lord Balfour of Burleigh ... 1435
The Lord Chancellor (The Earl of Halsbury) 1435
The Earl of Kimberley 1436
Lord Heneage 1436

On Question, "That Clause 2, as amended, stand part of the Bill," their Lordships divided:—Contents, 27; Not-Contents, 18.

Remaining clauses agreed to.

Bill recommitted to the Standing Committee; and to be printed as amended. [No. 183.]

Railways (Prevention of Accidents) Bill—[THIRD READING]—Moved, "That the Bill be now read the Third time."—(*Lord James of Hereford.*)

On Question agreed to, Bill read 3ª accordingly.

Moved, "That the Bill do pass."—(*Lord James of Hereford.*)

Amendment moved—

"In Clause 10, Sub-section 1, page 3, line 30, to leave out 'six' and to insert 'three.'"—(*Lord de Ramsey.*)

Amendment agreed to.

Amendment moved—

"In Clause 13, page 4, line 41, to add as a new sub-section—'(3) Where any line or siding is used in connection with a factory, workshop, or mine, and is neither part of the factory, workshop, or mine, nor a railway within the meaning of this Act, the occupier of the factory, workshop, or mine shall be under the same obligation to give notice of accidents occurring on the line or siding to persons employed in the factory, workshop, or mine as a railway company in the case of accidents occurring on a railway; but the notice shall be given to the Secretary of State, and the Secretary of State shall have the same powers and duties with respect to inquiries and investigations, and the appointment of an assessor to the coroner as the Board of Trade has in similar cases.'" (*Lord James of Hereford.*)

Amendment agreed to.

Amendment moved—

"In Clause 14, page 5, line 8, to leave out 'in priority to or,' and to leave out '*pari passu* with,' and to insert 'after.'"—(*Lord Avebury.*)

Lord James of Hereford 1440

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On Question, "That the words 'in priority to or' stand part of the clause," resolved in the negative.

Amendment (by leave of the House) withdrawn.

Verbal Amendments agreed to.

Lord James of Hereford 1441

On Question, "That the Bill do pass," agreed to.

Bill passed, and returned to the Commons.

THE SECRETARYSHIP OF THE MAYO COUNTY COUNCIL.

The Earl of Arran ... 1441 *The Earl of Denbigh* 1444

Veterinary Surgeons (Amendment) Bill—[SECOND READING]—Order of the Day for the Second Reading read.

Moved, "That the Bill be read a second time."—(*Lord Tweedmouth.*)

Lord Balfour of Burleigh 1446

On Question agreed to, Bill read 2ª accordingly, and committed to a Committee of the whole House on Monday next.

NEW BILLS.

County and Borough Franchise Assimilation (London) Bill—Brought from the Commons; read 1ª; to be printed; and to be read 2ª on Tuesday next (*The Lord Farquhar*). (No. 184.) 1446

Housing of the Working Classes Act (1890) Amendment Bill—Brought from the Commons; read 1ª; and to be printed. (No. 185.) 1446

House adjourned at Six of the clock.

COMMONS: FRIDAY, 13TH JULY, 1900.

PRIVATE BILL BUSINESS.

PRIVATE BILLS [Lords] (STANDING ORDERS NOT PREVIOUSLY INQUIRED INTO COMPLIED WITH—Mr. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bills, originating in the Lords, and referred on the First Reading thereof, the Standing Orders not previously inquired into, and which are applicable thereto, have been complied with, viz.: Buenos Ayres and Rosario Railway Bill [Lords]; Costa Rica Railway Company, Limited, Bill [Lords]; Roe's Patent Bill [Lords]. Ordered that the Bills be read a second time 1446

PROVISIONAL ORDER BILLS (STANDING ORDERS APPLICABLE THERETO COMPLIED WITH)—Mr. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bill, referred on the First Reading thereof, the Standing Orders which are applicable thereto have been complied with, viz.: Edinburgh (Housing of the Working Classes) Improvement Scheme Provisional Order Bill. Ordered, That the Bill be read a second time upon Monday next... ... 1447

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PROVISIONAL ORDER BILLS (NO STANDING ORDERS APPLICABLE) — Mr. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bill, referred on the First Reading thereof, no Standing Orders are applicable, viz.: Paisley Waterworks Provisional Order Bill. Ordered, That the Bill be read a second time upon Monday next 1447

Great Eastern Railway Bill; London and Saint Katherine Docks and East and West India Dock Companies Bill; St. Albans Water Bill—Lords Amendments considered, and agreed to 1447

Donegal Railway Bill [Lords]; Great Southern and Western Railway Bill [Lords]; South Staffordshire Tramways Bill [Lords]—Read the third time, and passed, with Amendments... 1447

Aston Manor Tramways Bill [Lords]—As amended, considered; to be read the third time 1448

Gwyrfai District Council Water Bill [Lords]—As amended, considered; to be read the third time 1448

Electric Lighting Provisional Orders (No. 6) Bill [Lords]; Electric Lighting Provisional Orders (No. 8) Bill [Lords]—Read the third time, and passed, without amendment 1448

London (St. Marylebone) Provisional Order Bill—Read the third time, and passed 1448

Gas Orders Confirmation (No. 1) Bill [Lords]—As amended, considered; to be read the third time upon Monday next 1448

Water Orders Confirmation Bill [Lords]—Reported, without amendment; Provisional Order confirmed; Report to lie upon the Table. Bill to be read the third time upon Monday next 1448

Liverpool Overhead Railway Bill [Lords]; Glasgow Building Regulations Bill [Lords]—Reported, with Amendments; Reports to lie upon the Table, and to be printed 1448

Railway Bills (Group 8)—Sir Lewis M'Iver reported from the Committee on Group 8 of Railway Bills, That Mr. Samuel Woods, one of the Members of the said Committee, was not present during the sitting of the Committee this day. Report to lie upon the Table 1448

Margate Corporation Bill [Lords]—Reported, with Amendments; Report to lie upon the Table, and to be printed 1448

Midland Great Western Railway of Ireland Bill [Lords]—Reported from the Joint Committee on Railways (Ireland) Amalgamation Bills, with Amendments. Report to lie upon the Table, and to be printed 1448

MESSAGE FROM THE LORDS—That they have agreed to the Wellingborough and District Tramroads Bill, and the Nottingham Corporation Bill, with Amendments. That they have agreed to the Amendments to Amendments to the Great Yarmouth Port and Haven Bill, without amendment. That they have passed a Bill intituled, "An Act to confirm certain Provisional Orders made by the Board of Trade under the Tramways Act, 1870, relating to Batley Corporation Tramways, Camborne and Redruth Tramway, East Ham Urban District Council Tramways, Hull

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Corporation Tramways, Middleton Corporation Tramways, Portobello and Musselburgh Tramways, and Southampton Corporation Tramways." Tramways Orders Confirmation (No. 3) Bill [Lords]. And also a Bill intituled, "An Act to authorise the mayor, aldermen, and burgesses of the borough of Bournemouth to acquire certain lands within the parishes of Bournemouth and Holdenhurst and Pokesdown, and to appropriate, regulate, and manage the same as open spaces; to confirm an agreement relating thereto; and for other purposes." Bournemouth Corporation Bill [Lords] 1449

Tramways Orders Confirmation (No. 3) Bill [Lords]—Read the first time; Referred to the Examiners of Petitions for Private Bills, and to be printed. [Bill 294] 1449

Bournemouth Corporation Bill [Lords]—Read the first time; and referred to the Examiners of Petitions for Private Bills 1449

PETITIONS.

East India (Contagious Diseases)—Petitions for alteration of law, from Gurdaspur; Gujranwala; Pollachi; Kachwa; Cuttack; Toringoo; Sukkur (two); Agra; and Neemeech; to lie upon the Table 1449

Education (Scotland) Bill—Petitions against, from Lochmaben; Partick; Leith; and Annan; to lie upon the Table 1449

Elementary Education Bill—Petition of the School Board for London, for alteration; to lie upon the Table 1450

Sale of Intoxicating Liquors to Children (No. 2) Bill—Petitions in favour, from Sheffield; West Ward; and Liverpool; to lie upon the Table 1450

Smaller Dwellings (Scotland) Bill—Petition from Partick, against; to lie upon the Table 1450

Sunday Closing (Monmouthshire) Bill—Petitions in favour, from Sheffield; and Liverpool; to lie upon the Table 1450

RETURNS, REPORTS, ETC.

Factory and Workshop Acts (Particulars of Piece Work Wages) (Pen-Making)—Copy presented, of Order of the Secretary of State, dated 12th July, 1900, applying, with modifications, the provisions of Section 40 of the Factory and Workshop Act, 1895, to Factories and Workshops in which is carried on the making of Pens [by Act]; to lie upon the Table 1450

Arrests for Drunkenness (Ireland)—Return presented, relative thereto [ordered 25th June; *Mr. William Johnston*]; to lie upon the Table, and to be printed. [No. 271] 1450

Trade Marks (Foreign Countries) (Commercial, No. 2, 1900)—Copy presented, of Reports from Her Majesty's Representatives Abroad on Trade Marks Laws and Regulations. Part I. [by Command]; to lie upon the Table 1450

Railways Abandonment—Copy presented, of Report by the Board of Trade respecting the London, Walthamstow, and Epping Forest Railway (Abandonment) Bill and the objects thereof [pursuant to Standing Order 158A]; referred to the Committee on the Bill 1450

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Public Works Loans Bill—Copy ordered, "of Statement of Particulars of Loans of which the balances outstanding are proposed to be written off (in whole or in part) from the assets of the Local Loans Fund."—(*Mr. Hanbury.*) Copy presented accordingly; to lie upon the Table, and to be printed. [No. 272] 1451

Tramways Orders Confirmation (No. 4) Bill—Copy ordered, "of Memorandum stating the nature of the Proposals contained in the Provisional Orders included in the Tramways Orders Confirmation (No. 4) Bill."—(*Mr. Ritchie.*) 1451

QUESTIONS.

China—Anti-Foreign Outbreak—Command of the Allied Forces—Question, Mr. Dillon (Mayo, E.); Answer, The Under-Secretary of State for Foreign Affairs (Mr. Brodrick, Surrey, Guildford) 1451

Communications with the Chinese Government—Questions, Mr. Dillon and Mr. Gibson Bowles (Lynn Regis); Answers, Mr. Brodrick 1451

Recent News—the Situation at Peking—Question, Sir H. Campbell-Bannermann (Stirling Burghs); Answer, Mr. Brodrick 1452

The Capture of the Taku Forts—Question, Mr. Dillon; Answer, Mr. Brodrick 1452

Exports of War Material to China—Questions, Mr. Warner (Staffordshire, Lichfield) and Mr. Dillon; Answers, Mr. Brodrick... 1453

South African War—Koorn Spruit Disaster—Questions, Mr. Swift MacNeill (Donegal, S.) and Major Rasch (Essex, S.E.); Answers, The First Lord of the Treasury (Mr. A. J. Balfour, Manchester, E.) 1453

Lindley Disaster—Despatches—Question, Mr. Swift MacNeill; Answer, The Under-Secretary of State for War (Mr. Wyndham, Dover) 1454

Delay in Notification of Soldier's Death—Question, Mr. Swift MacNeill; Answer, Mr. Wyndham 1455

Release of British Prisoners—Question, General Russell (Cheltenham); Answer, Mr. Wyndham 1455

Chaplains with the Troops—Question, Mr. Talbot (Oxford University); Answer, Mr. Wyndham 1455

Retired Army Medical Officers Recalled to Active Service—Question, Mr. Swift MacNeill; Answer, Mr. Wyndham 1456

Militia Officers and Line Commissions—Question, Mr. Swift MacNeill; Answer, Mr. Wyndham 1456

Examination for Commissions — Question, Major Rasch; Answer, Mr. Wyndham 1457

Patriotic Fund — Widow Allowances — Question, Mr. Galloway (Manchester, S.W.); Answer, Mr. A. J. Balfour 1457

Airdrie Volunteers—Disbandment—Question, Mr. John Wilson (Falkirk Burghs); Answer, Mr. Wyndham 1458

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PRISON OFFICIALS—VOLUNTEERS — CAMP LEAVE — Question, Mr. Lloyd Morgan (Carmarthenshire, W.); Answer, the Secretary of State for the Home Department (Sir M. White Ridley, Lancashire, Blackpool) ... 1458

UNDER AGE RECRUITS—CASE OF MICHAEL FARREL—Question, Mr. William Redmond (Clare, E.); Answer, Mr. Wyndham 1459

MILITIA OFFICERS AND POLITICS—POSITION OF M.P.S AND CANDIDATES IN THE MILITIA—Question, Mr. Warner; Answer, Mr. Wyndham 1459

ROYAL RESERVE REGIMENTS—OFFICERS—Question, Mr. Warner; Answer, Mr. Wyndham 1459

VOLUNTEERS AND ACTIVE SERVICE—THE NEW GOVERNMENT PROPOSALS—Question, Mr. Warner; Answer, Mr. Wyndham 1460

THIRD BATTALION GORDON HIGHLANDERS—RECENT INSPECTION—Question, Mr. John Wilson; Answer, Mr. Wyndham 1460

VOLUNTEER COMMANDING OFFICERS AND ARMY CONTRACTORS—Question, Mr. James Lowther (Kent, Thanet); Answer, Mr. Wyndham 1460

SECOND VOLUNTEER BATTALION ROYAL WELSH FUSILIERS—Question, Mr. Howell (Denbigh Boroughs); Answer, Mr. Wyndham 1461

WELSH FUSILIERS VOLUNTEER BATTALION OFFICERS AND THE "FLASH"—Question, Mr. Howell; Answer, Mr. Wyndham 1461

MILITARY LANDS IN COUNTY DOWN—Question, Mr. Macaleese (Monaghan, N.); Answer, Mr. Wyndham 1461

SUGAR BOUNTIES ABOLITION—NEGOTIATIONS WITH FOREIGN GOVERNMENTS—Question, Mr. Lawrence (Liverpool, Abercromby); Answer, Mr. Brodrick 1462

PALMISTS AND FORTUNE TELLERS IN WEST LONDON—Questions, Gen. Russell, Mr. More (Shropshire, Ludlow), and Mr. Flynn (Cork, N.); Answers, Sir M. White Ridley 1462

PAY OF THE METROPOLITAN POLICE—Question, Capt. Norton (Newington, W.); Answer, Sir M. White Ridley 1463

BOARD OF TRADE ADVISORY COMMITTEE ON LIGHTHOUSE WORKS, ETC.—Question, Mr. Nicol (Argyllshire); Answer, The President of the Board of Trade (Mr. Ritchie, Croydon) 1463

LIGHTHOUSE COMMUNICATION—WIRELESS TELEGRAPHY—Questions, Sir John Colomb (Gt. Yarmouth) and Mr. James Lowther; Answers, Mr. Ritchie 1464

OPHTHALMIC CASES IN METROPOLITIAN POOR LAW SCHOOLS—Question, Mr. Flower; Answer, The Secretary to the Local Government Board (Mr. T. W. Russell, Tyrone, S.) 1465

SUTTON SCHOOLS—PROVISION FOR POOR LAW CHILDREN.—Question, Mr. Flower (Bradford, W.); Answer, Mr. T. W. Russell 1465

CARMARTHEN PRISON—MISS BRYANT'S SUPERANNUATION—Question, Mr. Lloyd Morgan; Answer, Mr. T. W. Russell 1466

BRITISH EXPORTS OF WAR MATERIALS—Question, Sir John Colomb; Answer, The Financial Secretary to the Treasury (Mr. Hanbury, Preston) ... 1467

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HIGH WYCOMBE POST OFFICE—Question, Mr. Henniker Heaton; Answer, Mr. Hanbury 1467

BLETCHLEY POSTMAN'S STRIPES—Question, Mr. Steadman (Tower Hamlets, Stepney); Answer, Mr. Hanbury 1468

NATIONAL TELEPHONE COMPANY—ROYALTIES—Questions, Mr. Henniker Heaton and Mr. Gibson Bowles; Answers, Mr. Hanbury... 1468

POSTAL ARRANGEMENTS AT CULLYHANNA, COUNTY ARMAGH—Question, Mr. T. M. Healy (Louth N.); Answer, Mr. Hanbury 1469

IRISH TRAVELLING POST OFFICES—LAVATORY ACCOMMODATION—Question, Mr. Steadman; Answer, Mr. Hanbury 1470

COOTEHILL (CAVAN) POSTMASTERSHIP—Question, Mr. Samuel Young (Cavan, E.); Answer, Mr. Hanbury 1470

IRISH RURAL AUXILIARIES AND THE TWEEDMOUTH REPORT—Question, Capt. Donelan (Cork, E.); Answer, Mr. Hanbury 1471

MALLOW RURAL DISTRICT—ROAD REPAIR—Questions, Mr. William Abraham (Cork County, N.E.); Answers, The Chief Secretary for Ireland (Mr. G. W. Balfour, Leeds, Central) 1471

BUSINESS OF THE HOUSE—Questions, Mr. Herbert Roberts (Denbighshire, W.), Gen. Russell, and Mr. Channing (Northamptonshire, E.); Answers, Mr. A. J. Balfour 1472

PUBLIC BUSINESS.

Military Manœuvres Bill [Lords]—Ordered, That the Petition of the Belfast City and District Water Commissioners against dispensing with the Stand-Orders, in the case of the Military Manœuvres Bill [Lords], be referred to the Select Committee on Standing Orders—(*Mr. Caldwell*) 1473

HOSPITALS (EXEMPTION FROM RATES)—Report from the Select Committee, with Minutes of Evidence, brought up, and read. Report to lie upon the the Table, and to be printed. [No. 273] 1473

STANDING COMMITTEES (CHAIRMEN'S) PANEL—Mr. ARTHUR O'CONNOR reported from the Chairmen's Panel, That the Money-lending Bill [Lords], having been transferred from the Standing Committee for the consideration of Bills relating to Trade (including Agriculture and Fishing)), Shipping, and Manufactures, to the Standing Committee for the consideration of Bills relating to Law, and Courts of Justice, and Legal Procedure, they had appointed Mr. Laurence Hardy to act as Chairman of the said Standing Committee in respect of the above-mentioned Bill. Report to lie upon the Table 1473

Agricultural Holdings Bill—As amended, on consideration, to be printed. [Bill 293] 1474

SELECTION (STANDING COMMITTEES)—Mr. HALSEY reported from the Committee of Selection, That they had added to the Standing Committee on Law and Courts of Justice, and Legal Procedure the following fifteen Members in respect of the Money-lending Bill [Lords]:—Sir William Anson, Mr. Attorney General, Mr. Thomas Bayley, Mr. Birrell, Mr. Vicary Gibbs, Sir Cameron Gull, Mr. Hazell, Mr. Lyttelton, Mr. M'Ghee, Mr. Maddison, Mr. Marks, Mr. Purvis, Major Rasch, Mr. Steadman, and Mr. Lawson Walton. Report to lie upon the Table 1474

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MESSAGE FROM THE LORDS—That they have agreed to the Ecclesiastical Assessments (Scotland) Bill, without amendment.

That they have passed a Bill intituled, "An Act to amend the Colonial Stock Acts, 1877 and 1892, and the Trustee Act, 1893." Colonial Stock Bill [Lords].

Also a Bill intituled, "An Act to amend the Law with regard to the Imitation of County Court Process." Imitation of County Court Process Bill [Lords].

Also a Bill intituled, "An Act to amend and consolidate the Law relating to Literary Copyright." Copyright Bill [Lords] 1474

Copyright Bill [Lords]—Read the first time; to be read a second time upon Thursday next, and to be printed. [Bill 295] 1474

NEW BILLS.

MEDICAL ACTS AMENDMENT—Bill to amend the Medical Acts, 1858 to 1886, ordered to be brought in by Sir Richard Jebb, Sir William Anson, Mr. J. A. Campbell, Sir Michael Foster, Mr. Lecky, Mr. Talbot, and Sir John Tuke 1474

Medical Acts Amendment Bill—"To amend the Medical Acts, 1858 to 1886," presented, and read the first time; to be read a second time upon Thursday next, and to be printed. [Bill 296] 1474

PARLIAMENTARY VOTERS AND EEECTIONS—Bill to amend the law relating to the qualification and registration of Parliamentary Voters and to Parliamentary Elections, and to the expenses of returning officers; and for other purposes in relation thereto, ordered to be brought in by Captain Sinclair, Mr. Billson, Mr. Birrell, Mr. John Burns, Mr. Dillon, Mr. Maurice Healy, Mr. Joseph A. Pease, and Mr. Seale-Hayne.

Parliamentary Voters and Elections Bill—"To amend the law relating to the qualification and registration of Parliamentary Voters and to Parliamentary Elections, and to the expenses of returning officers; and for other purposes in relation thereto," presented, and read the first time; to be read a second time upon Monday, 23rd July, and to be printed. [Bill 297] 1475

OIL IN TOBACCO—Bill to restrict the amount of oil in manufactured tobacco, ordered to be brought in by Mr. Chancellor of the Exchequer and Mr. Hanbury 1475

Oil in Tobacco Bill—"To restrict the amount of oil in manufactured tobacco," presented, and read the first time; to be read a second time on Monday next, and to be printed. [Bill 298] 1475

SUPPLY—[18TH ALLOTTED DAY]—Considered in Committee.

(In the Committee.)

CIVIL SERVICE AND REVENUE DEPARTMENTS ESTIMATES, 1900—1901.

CLASS II.

Motion made, and Question proposed, "That a sum, not exceeding £96,407, be granted to Her Majesty to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1901, for the Salaries and Expenses of the Office of Her Majesty's Secretary of State for the Home Department and Subordinate Offices."

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Motion made and Question proposed, "That a sum, not exceeding £96,307, be granted for the said Service."—(*Sir Charles Dilke.*)

DISCUSSION :—

Mr. Drage (*Derby*) ... 1486
Mr. Tennant (*Berwickshire*) 1489
Mr. Coghill (*Stoke-upon-Trent*) 1496
Mr. John Burns (*Battersea*) 1498
Capt. Norton (*Newington, W.*) 1505
Mr. Talbot (*Oxford University*) 1509
Mr. Jonathan Samuel (*Stockton*) 1512
Mr. Middlemore (*Birmingham, N.*) 1518
Mr. John Wilson (*Durham, Mid*) 1518
Mr. Asquith (*Fifeshire, S.*) ... 1520
The Secretary of State for the Home Department (*Sir M. White Ridley, Lancashire, Blackpool*) 1523
Mr. Pickersgill (*Bethnal Green, S.W.*) 1530
Mr. Fenwick (*Northumberland, Wansbeck*) 1533
Sir Fortescue Flannery (*Yorkshire, Shipley*) 1535

Question put. The Committee divided :—Ayes, 61 ; Noes, 95. (Division List No. 217.)

Original Question again proposed.

Motion made, and Question proposed, "That a sum, not exceeding £96,207, be granted for the said Service."—(*Mr. Samuel Smith.*)

DISCUSSION :—

Mr. Souttar (*Dumfriesshire*) 1550
Sir M. White Ridley ... 1552
Mr. John Burns 1553
Sir Mark Stewart (*Kirkcudbrightshire*) 1564
Mr. H. J. Wilson (*Yorkshire, W.R., Holmfirth*) 1564
Mr. Spicer (*Monmouth Boroughs*) 1565
Mr. Channing (*Northamptonshire, E.*) 1565
Sir M. White Ridley 1566

Motion, by leave, withdrawn.

Original Question again proposed.

Motion made, and Question proposed, "That a sum, not exceeding £96,357, be granted for the said Service."—(*Mr. Weir.*)

DISCUSSION :—

Mr. Maddison (*Sheffield, Brightside*) 1570
Mr. Weir (*Ross and Cromarty*)... 1571
Mr. Havelock Wilson (*Middlesbrough*) 1572

Question put.

The House divided :—Ayes, 11 ; Noes, 101. (Division List No. 218.)

Original Question proposed.

It being midnight, the Chairman left the Chair to make his Report to the House.

Committee report Progress ; to sit again upon Monday next.

House adjourned at two minutes after Twelve of the clock.

END OF CONTENTS OF VOL. LXXXV.

PUBLIC BILLS

DEALT WITH IN VOLUME LXXXV.

Those marked thus * are Government Bills. The figures in parentheses in the last column refer to the page in this volume. "[H.L.]" following title indicates that the Bill was originated in the Lords.

(A.) House of Lords.

Title of Bill.	Brought in by	Progress.
Ancient Monuments Protection	———	Read 3ª 3 July (363)
Beer Retailers' and Spirit Grocers' Licences (Ireland) (No. 2).	———	Read 2ª 2 July (211); Committee, 10 July (1098)
*Burial Grounds	———	Committee, Report, 29 June (50); Read 3ª 6 July (763); Royal Assent, 10 July (1077)
*Charitable Loans (Ireland)	———	Read 1ª 3 July (364); Read 2ª 10 July (1096); Committee, Report, 12 July (1299)
Colonial Solicitors	———	Committee, Report, 29 June (50); Read 3ª 2 July (213); Royal Assent, 10 July (1077)
*Colonial Stock [H.L.]	*Earl of Halsbury*	Read 2ª 2 July (221); Committee, Report 3 July (364); Read 3ª 12 July (1299)
*Commonwealth of Australia Constitution	*Earl of Selborne*	Read 2ª 29 June (8); Committee, Report, 3 July (364); Read 3ª 5 July (577); Royal Assent 9 July (893)
Copyright [H.L.]	*Lord Monkswell*	Committee, 9 July (932); Report, 10 July (1098); Read 3ª 12 July (1300)
County and Borough Franchise Assimilation (London)	*Lord Farquhar*	Read 1ª 13 July (1446)
County Councils (Elections) Act (1891) Amendment	———	Royal Assent 10 July (1077)
*County Courts Ireland [H.L.]	*Lord Ashbourne*	Read 1ª 9 July (896); Read 2ª 12 July (1298)
*County Surveyors (Ireland)	———	Royal Assent 10 July (1077)
Cremation [H.L.]	*Lord Monkswell*	Report 6 July (759); Read 3ª 9 July (934)
Cruelty to Wild Animals in Captivity	———	Read 2ª 9 July (926); Committee 12 July (1299)
*Customs Duties (Isle of Man)	———	Read 1ª 3 July (364)

Title of Bill.	Brought in by	Progress.
Diocesan Registration [H.L.]	*Archbishop of Canterbury*	Read 2ª 2 July (212); Committee 9 July (896)
District Councillors and Guardians (Term of Office)	———	Read 2ª 3 July (363); Committee, Report, 5 July (577); Read 3ª 6 July (770); Royal Assent, 10 July (1077)
*Ecclesiastical Assessments (Scotland)	———	Read 2ª 29 June (5); Committee, Report, 5 July (571); Read 3ª 12 July (1299)
Executors (Scotland)	———	Read 1ª 3 July (364)
*Housing of the Working Classes Act (1890) Amendment	———	Read 1ª 13 July (1446)
*Imitation of County Court Process [H.L.]	*Earl of Halsbury*	Committee, Report, 5 July (577); Read 3ª 12 July (1299)
Land Registry (New Buildings)	———	Committee, Report 6 July (763); Read 3ª 10 July (1098)
*Lunacy Regulation (Ireland) [H.L.]	*Lord Ashbourne*	Read 3ª 10 July (1098)
Marriage Act Amendment [H.L.]	*Archbishop of Canterbury*	Report, 5 July (591)
Members of Local Authorities Relief [H.L.]	*Duke of Northumberland*	Read 1ª 29 June (5); Read 2ª 9 July (924)
Merchant Shipping (Liability of Shipowners and others)	———	Read 2ª 12 July (1289); Committee, 13 July (1433)
Militia Ballot [H.L.]	*Earl of Wemyss*	Second Reading rejected, 2 July (188)
*Military Lands [H.L.]	*Marquess of Lansdowne*	Read 3ª 29 June (50); Bill passed 2 July (214)
Mines (Prohibition of Child Labour Underground)	———	Report, 29 June (50); Read 3ª 2 July (213)
*Naval Reserve (Mobilisation)	———	Royal Assent, 10 July (1077)
Prevention of Corruption [H.L.]	*Lord Russell of Killowen*	Report, 29 June (50); Read 3ª 2 July (213)
*Railways (Prevention of Accidents)	*Lord James of Hereford*	Committee, 5 July (570); Report, 12 July (1299); Read 3ª 13 July (1437)
Town Councils (Scotland)	———	Read 1ª 29 June (56); Read 2ª 10 July (1096)
Union of Benefices Act [1860], Amendment [H.L.]	*Archbishop of Canterbury*	Read 3ª 5 July (591)
Veterinary Surgeons Amendment	———	Read 1ª 5 July (595); Read 2ª 13 July (1445)
*Volunteers [H.L.]	*Marquess of Lansdowne*	Report, 29 June (50); Read 3ª 2 July (214)
Workmen's Compensation Act (1897) Extension	———	Read 2ª 5 July (571); Committee, 6 July (763); Report, 13 July (1430)

No.	Title of Bill.	Brought in by	Progress.
121	*Agricultural Holdings	*Mr. Long*	Consideration, 2 July (325); 10 July (1138); 11 July (1245); 12 July (1337)
105	*Charitable Loans (Ireland)	*Mr. Atkinson*	Read 3 2 July (359)
295	Copyright [H.L.]	———	Read 1° 13 July (1474)
16	County and Borough Franchise Assimilation	*Mr. Loder*	Consideration, 10 July (1226); Third Reading, 12 July (1424)
250	*Customs Duties (Isle of Man)	*Mr. Hanbury*	Read 3° 2 July (360)
290	Diocesan Records [H.L.]	———	Read 1° 9 July (970)
231	Education of the Blind (Scotland)	*Sir J. Stirling-Maxwell*	Committee, 3 July (491)
166	Executors (Scotland)	*Mr. Thos. Shaw*	Consideration, Third Reading, 2 July (360)
98	*Housing of the Working Classes Act (1890) Amendment	*Mr. Chaplin*	Consideration, 2 July (290); Third Reading, 12 July (1394)
296	Medical Acts Amendment	*Sir R. Jebb*	———
285	*Military Lands [H.L.]	———	Read 1° 6 July (800)
275	*Military Manœuvres [H.L.]	———	Read 1° 2 July (290)
298	*Oil in Tobacco	*Sir M. Hicks-Beach*	Read 1° 13 July (1475)
297	Parliamentary Voters and Elections	*Capt. Sinclair*	Read 1° 13 July (1475)
228	*Post Office Sites	*Mr. Hanbury*	Committee, 5 July (723); 11 July (1283)
280	*Public Works Loans	*Mr. Hanbury*	Read 1° 2 July (290); Second Reading 10 July (1224); 11 July (1231)
283	Railway and Canal Traffic Act (1888) Amendment	*Sir H. Vincent*	Read 1° 2 July (559)
276	*Reserve Forces [H.L.]	———	Read 1° 2 July (290)
97	*Tithe Rent-charge (Ireland)	*Mr. Atkinson*	Committee 3 July (434); 4 July (517); 5 July (673); 9 July (993)
138	Veterinary Surgeons Amendment.	*Sir T. Gibson Carmichael*	Read 3° 4 July (559)
286	*Volunteers [H.L.]	———	Read 1° 6 July (800)
281	Wild Birds Protection	*Mr. Bigwood*	Read 1° 3 July (434)

THE

PARLIAMENTARY DEBATES

(*AUTHORISED EDITION*)

IN THE

SEVENTH SESSION OF THE *TWENTY-SIXTH PARLIAMENT* OF THE UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*, APPOINTED TO MEET THE 30TH JANUARY 1900, IN THE 63RD YEAR OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

EIGHTH VOLUME OF SESSION 1900.

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

HOUSE OF LORDS.

Friday, 29th June, 1900.

LORD INCHIQUIN.

Ordered and Directed, by the Lords Spiritual and Temporal in Parliament assembled, That a Certificate be sent by the Clerk of the Parliaments to the Clerk of the Crown in Ireland, stating that the Lord Chancellor of the United Kingdom has reported to the House of Lords that the right of the Lord Inchiquin to vote at the elections of Representative Peers for Ireland has been established to the satisfaction of him the said Lord Chancellor; and that the House of Lords has ordered such report to be sent to the said Clerk of the Crown in Ireland. And it is hereby also Ordered, That the said Report of the said Lord Chancellor be sent to the Clerk of the Crown in Ireland.

PRIVATE BILL BUSINESS.

SOUTH METROPOLITAN GAS BILL.

A Petition of Messrs. Bircham and Company, of No. 46, Parliament Street, Westminster, Parliamentary agents, praying for leave to present a Petition of the Strand District Board of Works praying to be heard by counsel against the Bill, although the time limited by Standing Order No. 93 for presenting such Petition has expired; read, and ordered to lie on the Table; and Standing Order No. 93 to be considered on Monday next, in order to its being dispensed with in respect of the said Petition.

LONDON COUNTY COUNCIL (SPITALFIELDS MARKET) BILL.

Report from the Select Committee, That it is not expedient to proceed further with the Bill; read, and ordered to lie on the Table.

MORLEY CORPORATION BILL [H.L.].

Reported with Amendments.

WORKINGTON RAILWAYS AND DOCKS BILL [H.L.].

The Queen's consent signified; and Bill reported from the Select Committee with Amendments.

WELLINGBOROUGH AND DISTRICT TRAMROADS BILL.

The Queen's consent signified; and Bill reported from the Select Committee with Amendments.

BRIGHTON CORPORATION BILL.

The Queen's consent signified; and Bill reported with Amendments.

BRITISH GASLIGHT COMPANY (STAFFORDSHIRE POTTERIES) BILL.

Reported without amendment.

CALEDONIAN RAILWAY BILL [H.L.].

LONDON AND SAN FRANCISCO BANK BILL [H.L.].

HAMMOND (G. H.) COMPANY BILL [H.L.].

Read 3ª, and passed, and sent to the Commons.

NORTH WARWICKSHIRE WATER BILL.

Read 3ª, with the Amendments, and passed, and returned to the Commons.

WIDNES AND RUNCORN BRIDGE BILL.

Read 3ª, with the Amendments; further Amendments made; Bill passed, and returned to the Commons.

BRAY AND ENNISKERRY RAILWAY BILL.

LONDON COUNTY COUNCIL (MONEY) BILL.

TOTTENHAM URBAN DISTRICT COUNCIL BILL.

Brought from the Commons; read 1ª; and referred to the Examiners.

BIRMINGHAM CORPORATION (STOCK) BILL [H.L.].

SCOTTISH AMERICAN INVESTMENT COMPANY, LIMITED, BILL [H.L.].

Returned from the Commons agreed to.

READING CORPORATION (TRAMWAYS) BILL.

Reported from the Select Committee with Amendments.

MIDLAND RAILWAY BILL.

Report from the Committee of Selection, That the Duke of Sutherland be proposed to the House as a member of the Select Committee on the said Bill in the place of the Lord Muncaster; read, and agreed to.

ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 7) BILL [H.L.].

TRAMWAYS ORDERS CONFIRMATION (No. 1) BILL [H.L.].

Read 3ª (according to Order), and passed, and sent to the Commons.

LEITH BURGH PROVISIONAL ORDER BILL [H.L.].

Commons Amendment considered (according to Order), and agreed to.

LOCAL GOVERNMENT PROVISIONAL ORDERS (GAS) BILL.

Read 3ª (according to Order), and passed.

EDUCATION BOARD PROVISIONAL ORDER CONFIRMATION (LONDON) BILL [H.L.].

Read 3ª (according to Order), and passed, and sent to the Commons.

ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 12) BILL. (No. 146.)

LONDON (CLERKENWELL AND HOLBORN) PROVISIONAL ORDER BILL. (No. 147.)

LONDON (POPLAR) PROVISIONAL ORDER BILL. (No. 148.)

Read 1ª; to be printed; and referred to the Examiners.

RETURNS, REPORTS, ETC.

ARMY.

Return respecting. Laid before the House, pursuant to Order dated 25th May, 1900.

LIGHT RAILWAYS ACT, 1896.

Orders made by the Light Railway Commissioners, and modified and confirmed by the Board of Trade, authorising the construction of—

I. A light railway in the county of East Sussex, from Robertsbridge to Pevensey.

II. A light railway in the county of Gloucester, from Cheltenham to Cleve Hill.

III. A light railway in the county of Sussex, from Bexhill to St. Leonards.

IV. A light railway at Cheltenham in the county of Gloucester.

LUNACY.

Fifty-fourth Report of the Commissioners in Lunacy to the Lord Chancellor (appendices and tables of contents, etc., to follow).

Presented (by Command), and ordered to lie on the Table.

FINANCE.

Finance accounts of the United Kingdom for the year ended 31st March, 1900.

WOODS, FORESTS, AND LAND REVENUES.

Seventy-eighth Report of the Commissioners, dated 29th June, 1900.

Laid before the House (pursuant to Act), and ordered to lie on the Table.

MEDWAY CONSERVANCY.

Statement of receipts and expenditure for the year from 25th March, 1899, to 25th March, 1900. Delivered (pursuant to Act), and ordered to lie on the Table.

HOSPITALS (EXEMPTION FROM RATES).

Leave given to the Marquess of Bristol to attend the Select Committee of the House of Commons, pursuant to message of Tuesday last, if he think fit, and his Lordship consenting thereto, a message ordered to be sent to the Commons to acquaint them therewith.

NEW BILL.

MEMBERS OF LOCAL AUTHORITIES RELIEF BILL [H.L.].

A Bill to relieve members of county councils and others from disqualification —was presented by the Duke of Northumberland; read 1ª; and to be printed. (No. 144.)

ECCLESIASTICAL ASSESSMENTS (SCOTLAND) BILL.

[SECOND READING.]

Order of the Day for the Second Reading read.

*THE SECRETARY FOR SCOTLAND (Lord BALFOUR of BURLEIGH): My Lords, in rising to move the Second Reading of this Bill, which has already passed the House of Commons, I shall not detain your Lordships for many minutes. The Bill is designed for the removal of a grievance of old standing, one which is perfectly well known to noble Lords from Scotland, and if the House passes the Bill and it becomes law I believe that in practice it will effect its object. I do not propose to go into the history of ecclesiastical assessments in Scotland. I believe that history is perfectly familiar to noble Lords from Scotland who are interested in the question, and I am not sanguine enough to suppose that I should be able to interest noble Lords who do not belong to Scotland in a subject of this kind. The position of matters is this. The obligation to provide Church accommodation, a house for the Minister, and a burial ground for the parish has been for a great number of years a burden upon the land of the parish. If there is anything in the argument, of which we hear a good deal sometimes in other connections, that such and such a rate is an hereditary burden upon property, then this burden is one out of which the landowners in Scotland have no title to escape. So long as a parish remains purely rural in its character I think that even at the present time no one can make out that any grievance exists; but it is different when the character of a parish has changed from rural to urban, when a good deal of building has taken place, and when that system of allotting land for building, which in Scotland is known as feuing, has proceeded to any considerable extent. By a series of legal decisions, and by the operation of the Valuation Act, passed in 1854, two distinct systems of raising ecclesiastical assessments are now in practice. In rural parishes the assessment is, speaking generally, laid on what is known as the old valued-rent, and in parishes where much building has taken place very often the real rent has been substituted for this purpose for the old valued-rent. At the present time it is possible for any one valued-rent heritor to insist that the real rent shall be brought into practice. The object of this Bill is to provide that if at a meeting of valued-rent heritors a majority of two thirds in value of the valued-rent heritors prefer to retain the old system they shall be at liberty to do so, and, if not, then the parishes will be assessed for this purpose on the real rent. The main part of the Bill is contained in the clause which provides for the case of parishes in which the real rent either has been brought in in the past or will be brought in in the future. In those cases a grievance does press upon

those heritors who are feuars and those of small amount, and the object of the Bill is to make legal a transaction which is very often carried into effect at the present time. It is proposed in this Bill to effect the exemption altogether of heritors under £50. But there is this condition attached, that the authorities of the Church in the parish shall be prepared to pay the amount which would have been raised from those exempted under this Bill. By this Bill the Church is not asking anything for herself but is only asking Parliament to permit her to relieve ratepayers from certain charges which are now levied upon them by legal sanction, but which are sometimes imposed under conditions which involve practical hardship. The Bill is only to make legal a method which is often at the present moment arrived at as a private compromise, but which in practice is liable to be obstructed by a small minority of individuals, for the purpose not of relieving themselves of the burden, but of making as much difficulty for the Church as possible.

Moved, "That the Bill be now read a second time."—(*Lord Balfour of Burleigh.*)

LORD TWEEDMOUTH: My Lords, I shall not detain the House for more than a few moments in referring to the statement the noble Lord has just made—the Bill is of too small a character to warrant me in doing so. In Scotland at this moment we have in full blast a system of supporting the Church by tithes and Church rates, both being charges upon the land. The Church rates are used, as the noble Lord has stated, for the building and repairing of churches and manses and the provision of burial grounds. These charges have always been willingly paid by the landowners, but a difficulty has arisen in collecting them from the smaller landowners in different parishes. To meet that grievance, surely one of two courses would have been proper—either the Church rates should have been abolished altogether and the duty of building and maintaining church fabrics and manses thrown upon the congregation attending them; or, if you are not ready to take so heroic a remedy as that, at any rate, to meet particular grievances you should have said that landowners below a certain valuation should not be charged at all. This Bill proposes to do neither of these two things. On the one hand it says that the larger landowners may hold a meeting of their own, and that if two-thirds, reckoned by valuation, of those landowners are in favour of relieving the smaller landowners altogether they may do so, and levy the amount on themselves, by which there is always a possibility of a certain number of the landowners in the parish having thrown upon them extra burdens to which they have not assented. This seems a doubtful way of dealing with the matter. On the other hand, it is proposed that, where the whole of the landowners in the parish are to be retained in the assessments, then, if the kirk session is willing, it may cause a certain amount to be struck off the valuation of all the landowners of the parish, providing the deficiency is made up by the kirk session. I have never heard of a kirk session being a body which had very much money to dispose of, and I should like to know where they are to get the money from with which to do this. I suppose they will have to rely upon voluntary contributions or bazaars. This is the first time I have heard a proposal in an Act of Parliament that rates should be assisted, with the sanction of Parliament, by voluntary contributions. I do not think the noble and learned Lord will say that I have misinterpreted the provisions of his Bill, which seems to me to be founded neither on good principle nor on courageous opinions. In practice it will be of little importance, for in many parishes the principle is already adopted by the consent of the landowners. I shall, therefore, content myself by saying not content when the question is put from the Woolsack.

On Question, agreed to. Bill read 2ª accordingly; and committed to a Committee of the whole House on Thursday next.

COMMONWEALTH OF AUSTRALIA CONSTITUTION BILL.

[SECOND READING.]

Order of the Day for the Second Reading read.

THE UNDER SECRETARY OF STATE FOR THE COLONIES (The Earl of SELBORNE): My Lords, I would especially invite your attention to the unique

circumstances under which the movement for federation in Australia, which has ended in the Bill now before your Lordships for consideration, has had its origin, and brought its history, I hope, almost to the point of fulfilment. The Constitution of the United States of America was born of a struggle for national independence. The Constitution of the Dominion of Canada was accepted as the solution of internal political troubles constantly recurring over a course of many years, and sometimes acute. The consolidation of the German Empire was rendered possible by the victories of a great war. It has been reserved for the people and the statesmen of Australia alone to determine to federate out of what I may call pure reason. They, and they alone, have looked to the future, and, as custodians of the interest of their descendants, have determined to consolidate the colonies of Australia in one great commonwealth. The fact that this movement has existed and the work has been completed under no special pressure calls, I think, for a tribute of admiration from us, because it must have greatly added to the difficulties of the statesmen who had the task in hand. They had to reconcile six different States, each with divergent interests, each with its own separate local conditions and its own separate history, and in each of which had arisen the usual growth of vested interests; and to have completed the work of federation without any very great pressure is a most remarkable performance, and one that will place the statesmen of Australia on a level with those statesmen who have been admired by the world for the Constitutions they gave to America and the Dominion of Canada. I would ask you, my Lords, before you read this Bill a second time, to take note of some very remarkable features in the Constitution embodied in the Bill. First of all, there are the provisions for a change in the Constitution in the future, if necessary. Any law for altering this Constitution must be passed by an absolute majority of each House of Parliament, that is, the Senate and House of Representatives. When so passed it must be submitted to the vote of the electors in each State who are qualified to vote for the election of members in the House of Representatives. If in a majority of the States a majority of the electors who vote are in favour of the proposed law, and if a majority of all the electors voting in all the States are also in favour of the proposed law, it passes, and must then be presented to the Governor General for the Queen's assent. I think I ought to assure my noble and learned friend Lord James of Hereford, that in those colonies where there is womanhood suffrage as well as manhood suffrage, only half the number of votes are allowed to count. I would ask your Lordships to observe that no proposed alteration of the Constitution the object of which is, either (1) to diminish the proportionate representation of any State in the Senate or House of Representatives, or (2) to diminish the minimum number of representatives, or (3) to alter in any way the limits of a State, or (4) to affect the provisions of the Constitution in relation to any particular State, may become law unless it is approved by the majority of the electors voting in the State which will be affected by the proposed alteration. I would ask you to compare those provisions for a change of the Constitution with the provisions that obtain in the United States of America. You will notice that in the case of the Commonwealth of Australia a proposed change must not only be passed by a majority of the people in a majority of the States, but also by a total majority of those voting in all the States on the question. In the Constitution of the United States there are two methods of effecting a change of the Constitution, but I will only mention one which, I believe, has been invariably used in all the changes of the Constitution which have taken place. Congress, *i.e.*, the Senate and the House of Representatives, may, by a two-thirds vote in each House, prepare and propose Amendments. Those Amendments, when so prepared and proposed by Congress, must then be submitted to the Legislatures of the States, and they are only passed if the Legislatures of three-fourths of the States ratify them. I think your Lordships will see that in one point, at any rate, these two processes are likely to have the same effect. In neither case is it probable that any Amendment of the Constitution can be made to which a majority of the people are opposed. If you come to consider the converse proposition, whether it is possible or likely that a change in the Constitution, which the majority of the people really desire, may not be effected owing to the process which the Constitution

enjoins, then I must say I think the advantage lies with the Constitution of the Commonwealth of Australia. It is obviously more difficult to make a change in the Constitution of the United States than it would be in the Constitution of the Commonwealth of Australia. The only comment I would make upon that is that it seems to me that the proposals in the Commonwealth Bill are more truly democratic than those of the United States. I use that term with its ordinary grammatical meaning and without any attribution of merit or demerit Under this Bill the final arbiters on a question of a change of the Constitution are the people — the voters. The next provision to which I would call your Lordships' especial attention, one of very peculiar interest for this House, is the provision against a deadlock between the two Houses. Section 57 runs as follows—

"When the House of Representatives has passed a law which the Senate rejects or fails to pass, or amends in a way to which the House of Representatives will not agree, the House of Representatives may, if it wishes to force matters to a conclusion, again pass the law with or without any amendments emanating from the Senate, after an interval of three months. If the Senate again rejects it or omits to pass it, or amends it as above, the Governor-General may dissolve both Houses simultaneously, but such dissolution must not take place within six months of the natural date of dissolution of the House of Representatives."

I may say here, in passing, that the House of Representatives must be re-elected every three years, but the Senate as a body is never dissolved, except under the provision which I have just quoted. A member of the Senate is elected for six years. Half of the first Senate will be elected for only three years, and after that a half will be elected every three years. So you will see this is a very special provision for a dissolution of the whole Senate in the case of a deadlock. The section continues—

"If after dissolution the new House of Representatives again passes the law with or without any amendments emanating from the Senate, and the Senate again rejects it, or fails to pass it, or amends it as above, the Governor-General may convene a joint sitting of the members of both Houses. The joint sitting may deliberate together on the proposed law, and on any amendments as to which the two Houses have disagreed. After deliberation the next step is to vote on the law. This they must do together, and if the law itself, with or without Amendments, is carried by an absolute majority of the total number of members of the two Houses, the law as passed by the joint sitting will be regarded as duly passed by both Houses."

Your Lordships will observe that the terms all through are permissive and not obligatory. "The Governor-General *may* dissolve both Houses." That is, of course, the Governor-General acting on the advice of his Ministers. "The Governor-General *may* convene a joint sitting of the two Houses." He is not obliged to do so, but may do so on the advice of his Ministers. But when once this meeting of the two Houses is convened then the vote—the final vote—must be given by the two Houses sitting as one House, though the deliberations which take place previous to the vote may, if they like, in each case be separate. There is a variation to which I would draw your Lordships' attention in those cases where the disagreement is as to a change in the Constitution. In the case of an ordinary disagreement this process is only applicable if the Bill on which the dispute has occurred has emanated from the House of Representatives. There is no corresponding privilege to the Senate in the case of a Bill which has emanated from the Senate. But if the Bill as to which disagreement exists is a Bill proposing a change in the Constitution, then the same privilege obtains in the case of both Houses. My Lords, the observations that I would make to you as regards this process are two-fold. In the first place, I believe it is the very first time that in an Anglo-Saxon Constitution any attempt has been made to provide for a solution of a deadlock between the two Houses. There is no such provision in the Constitution of the United States of America; there is no such provision in the Constitution of the Dominion of Canada. The second observation I would make is that the plan in this Bill has this merit: that it goes to the root of the whole matter and refers the final decision to the electorate—it does not leave the decision to one of the two Houses which are parties to the dispute. Therefore, whatever decision is arrived at is one that must be accepted as final and conclusive by all parties. I would briefly point out to your Lordships the provisions for the election of the two Houses. The Senate is devised specially as a representative Chamber of the States as States. Each original State has six

The Earl of Selborne.

Senators, no matter what its area or population may be. The electors for the Senate are the same as those for the House of Representatives, and in the absence of any provision to be made by Parliament in the future the electors vote in each State as one electorate. The election, as I have already mentioned, is for six years. In the case of the Senators first elected, half of them are chosen by lot to go out at the end of three years. The House of Representatives is to have a total number of Members which is to be double the total of the Members of the Senate, and which are to be allotted to each State in proportion to their respective populations. The States are to be divided into constituencies for the purpose of this election by their own State Parliaments if they wish. In default of such legislation the electors will vote as one electorate. The electorate for the Commonwealth Parliament is in each State to be the same as the electorate for its own Chamber. And here I must commiserate with my noble and learned friend whom I congratulated just now, on the fact that the rights of women voters in those States where womanhood suffrage prevails are carefully guarded by Section 41 of the Bill. The election of the House of Representatives is to be triennial, and each member is to get a remuneration of £400 per annum. No man can sit in both Houses. The feature of this Constitution which seems to me to most differentiate it from the American Constitution is that throughout it strictly follows the English plan of uniting the Legislature to the Executive, and in taking care that the Government of the day is armed with the full authority of the people who elect the majority in the Chamber. Your Lordships will appreciate the reason why I lay stress upon that if I remind you what the condition of affairs is under the Constitution of the United States of America. There the President is elected once in every four years. The House of Representatives is elected once in every two years, and one-third of the Senate is elected every two years. The result is that, although all authority in the United States necessarily and exclusively emanates from the people, yet it never so emanates at one moment. The will of the people of to-day is constantly influenced by the will of the people of yesterday and to-morrow. That is not our English plan, and the Constitution of Australia strictly follows the English plan. There can be no doubt that under it the Government of the Commonwealth of the day will represent the opinion of the Australian people at the moment of the last election. Of course, one of the most difficult class of questions that meets the framers of a Constitution like this is the principle on which the separation of power between the Federal Parliament and the local or State Parliaments is to be devised. The principle of this Bill is very simple. Section 52 defines the very few subjects in respect to which the Commonwealth Parliament is to have exclusive authority. There is a catalogue in Section 51 of the subjects with which the Federal Parliament may deal concurrently with the State Parliaments. The only powers, in fact, in matters of legislation which are taken away from the State Parliaments are those referred to in Section 52. The Commonwealth Parliament may extend its legislative horizon and deal with other matters if referred to it by the State Parliaments, and these provisions give that general character of elasticity to the Constitution which, I think, is its most prominent feature. The framers have made a deliberate choice between what I will call the rigidity of the American Constitution and the flexibility of the English Constitution, and although not able to allow that flexibility which has been of such great advantage in this country, yet the Constitution is framed on lines of flexibility rather than on lines of rigidity, and I do not think that any of your Lordships will doubt that in making this choice the framers of the Bill have followed a true instinct of the British race. It is in strict accordance with the political instincts of our race that our machinery should be of such a kind that it can be changed and developed as the times and conditions alter, and that we should not now attempt to stereotype a particular machinery which our descendants may not be able to change or alter, however much the condition of the country required it. There is one subject which I have not yet touched upon. I have referred to these matters because their importance has been rather obscured in the other House of Parliament by the attention which has been devoted to Clause 74. That is the clause, as your Lordships are well aware, which deals with the question of appeal to the Privy

Council. Considerable controversies have centred upon that clause—controversies which your Lordships on both sides of the House will be glad have ended so happily. What I wish to explain briefly is the exact position of the matter as it has been left by, I will not say the compromise, but by the solution arrived at with the consent of all parties. The position of the Dominion of Canada with respect to appeals to the Privy Council has been generally adopted as a model for our admiration. Now, in what respect will the right of appeal in Australia differ from the right of appeal in Canada? In Canada an appeal may be taken by a litigant from one of the inferior courts direct to the Supreme Court of Canada, or to the Privy Council. Under this Bill an Australian litigant will have the same privilege. In Canada, if a litigant has chosen to go to the Supreme Court of Canada, he may appeal from the decision of that court to the Privy Council with and by leave of the Privy Council. In Australia a litigant will have the same privilege, except in one special class of cases where the question which has arisen is the limits *inter se* of the powers of any State, *qua* the Commonwealth, or of one State *qua* another State. In those cases litigants may still have the liberty of appeal to the Privy Council from the High Court of Australia, only the leave for that appeal is to be given not by the Privy Council, but by the High Court from which the appeal is to be carried. That is a very slight variation. It has been contended, I know, that its effect in questions involving constitutional issues is to make the High Court of Australia a co-ordinate court with the Privy Council. I speak with great diffidence in the presence of legal authorities, being no legal authority myself, but I understand that there is a strict precedent in the law of this country. At the present moment there are appeals in questions of bankruptcy from the Divisional Court to the Court of Appeal; and it is not the Court of Appeal but the Divisional Court which gives the leave to appeal, and no one will argue that the power of the Divisional Court to give leave to appeal constitutes it *ipso facto* a co-ordinate authority with the court to which it gives leave to appeal. If any doubt should remain in any of your Lordships' minds as to whether this settlement has obtained the full concurrence of the Australian colonies and people, perhaps you will allow me to read a few communications which have reached us since such communications as we had received had been laid before Parliament. The present Agent General of Victoria, Sir Andrew Clarke, writes under date 21st June—

"I have pleasure in communicating to you the following telegram, which I have received from my Government: 'Commonwealth Bill. Inform Secretary of State for Colonies Victoria approves Clause as now altered, and hopes speedy passage of Bill. Thank Secretary of State for Colonies for great trouble, kindly interest, and congratulate him on successful settlement.'"

Earl Beauchamp telegraphs from Sydney—

"Resolution passed by Legislative Assembly preferring Clause 74 in Bill as submitted by Australian Colonies, but, failing that, desiring compromise mentioned in your telegram of 16th instant. Telegram sent to New South Wales delegate late last night asking him to convey decision to you."

Lord Tennyson telegraphs from South Australia—

"Cabinet Ministers cordially acknowledge your continued efforts and of Imperial Government to reconcile what appeared to be to them the conflicting interests of Australia and Empire in connection with appeal clauses of Commonwealth Bill, and rejoice at prospect of early accomplishment of Federal union."

Viscount Gormanston telegraphs from Tasmania—

"Referring to your telegram of 21st June Ministers request me to send you following message:—'Begins: They desire to express gratification that whilst safeguarding British interests you have given to Australian colonies wider scope for the development of national life, and to express gratitude for patience and tact exercised by you throughout the conduct of deliberations and negotiations.'"

Lord Lamington sends the following telegram from Queensland—

"On behalf of my Ministers and myself I desire to offer you my hearty congratulations on the successful manner in which you have overcome the difficulties arising out of earlier proposals for amendment of Clause 74, Commonwealth Bill, and to express appreciation of satisfactory nature of the compromise in the clause as now passed."

The result of those communications is to show that while the Governments referred to would have preferred Clause 74 as brought from Australia to this country, yet they accept the arrangement proposed, and I think it is not unfair to say that all the other colonies concerned are completely satisfied with the clause as

now framed, including those who were supposed to be most strongly in favour of the original form of Clause 74. I believe the solution arrived at is one which not only commends itself to the Australian people, but one which will be found to work well in practice; and I will only conclude by asking your Lordships to read the Bill a second time, and to join with me in offering the heartiest congratulations of this House to the Statesmen and the people of Australia.

Moved, "That the Bill now be read a second time."—(*The Earl of Selborne*).

EARL CARRINGTON: My Lords, the House has listened, with the attention that it deserves, to the very clever, remarkable, and interesting speech which has just been made by the noble Earl the Under Secretary of State for the Colonies. It was an interesting speech, because, for the first time, we have some idea of what the real intentions of Her Majesty's Government have been in regard to this measure, which, up to the present time, have been both confused and confusing; it was remarkable for its omissions as well as for the paucity of its admissions; and it was extraordinary for the cleverness with which the noble Earl skated over the thinnest of ice, threw difficulties behind him as if they never existed, and almost made the House believe that there had never been any crisis on this question at all. Indeed, so dexterous was his way of dealing with the subject, that while he was speaking I could not help thinking that I was in one of the Parliament Houses at Cape Town, where, as your Lordships know, the custom is that the same Minister can bring in a Bill in both Houses, though he can only vote in one. The noble Earl's work was so skilfully done that I thought the same skilful hand that piloted the Bill through the other House was now starting it on its passage through your Lordships' House. Verily, though the voice was the voice of Jacob, the hand was the hand of the well-known and astute political Esau. The noble Earl did not say one single word as to the manner in which this great question originated, and I hope your Lordships will bear with me for a few minutes while I refer to it. The Federation of Australia first came within the range of practical politics in the month of October, 1889, when Sir Henry Parkes, to the great amazement of the colonies, and without having said a word to the Cabinet, made a great speech in which he said that the time had come for the federation of the Australian colonies. The idea ran like wildfire all over the great Continent of Australia, and in the early part of the following year, 1890, in spite of the difficulties of the Federal Council—which, as your Lordships will remember, was a Council of the different States of Australia, with the exception of the Free Trade State of New South Wales—which were eventually got over—a Convention was held, I think, at Melbourne, at which Lord Hopetoun, who for five years was the representative of the Queen in the great colony of Victoria, made his first appearance in public. The toast of "United Australia" was responded to by Sir Henry Parkes, who made a speech worthy of the man and of the occasion. I need not weary your Lordships by mentioning the difficulties that arose. There were the Free Trade and Protection difficulty, the military difficulty, and, of course, there was the great question as to whether the capital was to be Melbourne or Sydney. There were many disappointments and many delays, but all these difficulties were successfully overcome, and at the end of last year a Bill was piloted through all the different Houses of Parliament, and submitted to a referendum of the Australian Colonies, and carried by a majority of nearly three to one. I want the House to remember—it was a point carefully omitted by the noble Earl—that during the whole of the ten years over which those negotiations extended, the British Government, who were kept well informed of everything that was going on, and knew every detail of the Bill as well as they knew that large quantities of arms were being smuggled into the Transvaal in piano cases, ladies' bonnet-cases, etc., took no more notice of them than they did of the importations of the arms to which I have referred. It was therefore thought that when the Bill came over to this country there would be no possible objection to it, and it was not at first thought necessary to send delegates. Thank goodness, wiser counsels did prevail, and five delegates came to England to explain the provisions of this self-made compact of the Australian people. Those delegates had not the smallest

right, power, or authority to accept one single word of amendment or alteration in the Bill. They came over solely for the object of explaining the clauses of the Bill. They were very hospitably entertained when they reached London in the early part of this year, but the man in the street, who somehow or another seems to know a great deal more than the Ministers of the Crown, said there was a rift in the lute, and that there were some objections to some of the provisions of the Bill. And then it came out that Mr. Chamberlain had put his back against the wall. In another place the right hon. Gentleman made a public announcement as to the intentions of the Government with regard to the Bill, and before he did so he made a remark which I think your Lordships will have noticed that every English Englishman—by that I mean a man who has never visited the colonies—always makes in speaking about them. The right hon. Gentleman said that the links between this country and the colonies at the present time were so slight that almost a touch would break them. After the way in which the colonies had unanimously rallied to the support of the mother country, when British territory in South Africa was invaded, and invaded under circumstances of preparation for defence which would probably have delighted the heart of Ethelred the Unready, it was astonishing that such a statement should have been made. If there ever was a time when the links between the mother country and the colonies were stronger than ever, it is, I should have thought, the present time, when all parts of the Empire have rallied together in its defence. Having delivered himself of that pious opinion, the right hon. Gentleman proceeded to do what a child of ten would have been able to tell him was the very thing to break these links, if they could be broken, which I deny. He put the Colonial Office finger in the Australian pie, and announced the two great objections which Her Majesty's Government entertained to the Australian Commonwealth Bill, neither of which was mentioned in the noble Earl's speech. The first objection was that the definition of a colony raised a doubt whether the legislation of the new Commonwealth Parliament would or would not come under the provisions of the Colonial Laws Validity Act. There is that old question of definition again, which seems to knock all Colonial legislation on the head. It seems to me that one reason why Her Majesty's Government seem destined once in every ten days to plunge up to their necks in some dreadful difficulty in their Colonial policy is their absolute inability to call a spade a spade. It was said, "You cannot have such an easily mistaken and difficult word as 'Colony' in the Bill; it cannot be allowed. Why put the word 'Colony' in the Bill at all?" The Australian delegates were asked their opinion as to the proposed great change, and they agreed to it with a twinkle in their eye, with gratitude in their hearts, and with their tongues in their cheek. Mr. Chamberlain had triumphed, and Australia breathed again. The second objection—the real lion in the path—was as regards Clause 74, but the noble Earl absolutely omitted to tell us what Clause 74 in its original shape and form was. Clause 74 was simply this, that in all matters relating to Australia, and Australia alone, in which the public interest of any other part of the British Empire was not concerned, the final decision should rest with the High Court, and that there should be no appeal to Downing Street. That was the practical and logical conclusion of Home Rule. It was Home Rule in its best, simplest, and fairest form. But the right hon. Gentleman said to himself, "Am I not a Unionist?" and he kicked the clause as high as Diamond Jubilee did his heels when he went down the course before winning the last Derby. The contention of the Secretary for the Colonies that Clause 74 would destroy one of the most important ties connecting the different parts of the Empire is, at any rate, a logical position, whether one agrees with it or not. That may be the idea of English Englishmen, but is it the idea of the great majority of the Colonists throughout this great Empire? I venture to think not. To get out of the difficulty about the right of appeal the right hon. Gentleman put forward what seems to me, since the Imperial Zollverein, one of the most madcap schemes that was ever devised for tying the tails of the Australian kangaroo and the British lion together in an impossible sailor's knot. He proposed to put a certain number of coronets on the heads of illustrious Colonial Judges, and put £6,000 or £7,000 a year in their pockets.

for a period of seven years. What would happen to them afterwards? He does not make them life Peers—they are to have a lease only of a Peerage; and when the seven years expire I presume they would have to return their robes into store in the same way as a servant who only stays a very short time in a nobleman's family does his plush breeches and liveries. Having succeeded in forming this great judicial body, the right hon. Gentleman took a Palmerstonian attitude, and, putting himself on a pedestal, made a *civis Romanus sum* and soda-water kind of speech, in which he said that he never would be a party to doing anything which would put an end to the right of every British citizen all over the Empire to lay his grievance at the foot of the Throne, and he was very strongly backed up. That was a perfectly legitimate position, but a dangerous one from the point of view of those who desired to see the expressed wishes of the majority of the Australian people respected. I am speak- under correction, but I believe I am right in saying that the right hon. Gentleman thought he had "four by trumps" in his own hand. He was acting under the ægis and with the advice of the eminent, powerful, noble, and learned Lord who sits on the Woolsack as Lord High Chancellor of England. That, I believe, was well known. He also had the support of the Chief Justices of four of the colonies—men of light and leading, and men of the highest possible honour, whose opinions ought to be very much respected. He had the great advantage of being backed up by *The Times*, the *Melbourne Argus*, and the *Brisbane Courier*, and he had the support of the Member for Australia, Mr. J. Henniker Heaton. He had the additional advantage of publishing a controversial despatch from a Constitutional Governor—it seems to me that Her Majesty's Government have a sort of mania for publishing despatches—and he had the hearty good wishes of the conscientious and honourable opponents of the Australian Federation Bill, who looked upon the right hon. Gentleman's interference with great hope that it would result in the Bill being subjected to a referendum, which, plus British interference, might be the means of staving off the measure for five, ten, fifteen, and perhaps twenty years. The question at that period had assumed an acute phase, and the imminence of the peril and the greatness of the danger afforded the only ground of hope. The future of Australia practically lay in the hands of one man—a man who, unlike all the rest of his colleagues, has two most wonderful characteristics. The first characteristic of the right hon. Gentleman seems to me to be his ability to make himself believe anything he likes at any particular moment. Was he not the man who, throwing aside the Spartan simplicity of his earlier life, was so overcome with the glamour of twenty-five minutes conversation with an Emperor, that he announced to astonished Europe and the amazed Secretary of State for Foreign Affairs, that an alliance had been concluded between England, the great Empire of Germany, and the United States? Was he not the man who was so easily able to look at both sides of the question at once, that he openly and publicly, in his place in Parliament, defended the man who was responsible for the greatest mistake of modern times, the unsuccessful invasion of a friendly State by 400 armed men? Was he not the man who at that time used language which threw away the honour and the good name of his country? In the hands of that single man lay the future of Australia. The crisis was a great one. So anxious was the time that the health of one of the delegates, Mr. Deakin, one of the finest representatives of Australian manhood, broke down absolutely, and he had to return to his own country. The only chance lay in the possibility of the right hon. Gentleman finding some way to get round what he had said, and to extricate himself from the dilemma in which he was placed, and, fortunately, that chance came off. The next time the right hon. Gentleman had an opportunity of explaining his position it was evident that he had thrown up the sponge. If the right hon. Gentleman had come forward before the House and acknowledged that he had made a mistake, not one word would have been said on this side of the House or by any Liberal in the whole country. But he did a very different thing. One of those extraordinary transformation scenes took place with which, unfortunately, we have of late become so familiar. The Secretary for the Colonies got off his pedestal, threw off the toga of the Roman citizen and the Palmerstonian frock-coat, and now, being the man who took up a perfectly illogical position which would have emasculated and

mutilated the Bill, he stands before the country as one of the creators and champions of Home Rule, or rather rule at home, all over the world. I should like to read to the House what the right hon. Gentleman proposes to do. He said—

"Clause 74 will be exactly reversed. Whereas in the original clause the appeal was to cease in all cases where the public interest of some portion of Her Majesty's Dominions was concerned, in the clause as we now propose to insert it, the appeal will lie in every case except the case where Australian interests alone are concerned."

Does the House of Lords understand that any more than the House of Commons did? It seems to me a distinction without a difference. *Punch's* Kangaroo remarked—

"Well, I suppose I've got what I wanted; but I'm hanged if I know what I've got."

The right hon. Gentleman performed a most extraordinary feat of political legerdemain. He took up this 74th Clause, which, he said, was doing away with the ties which connect the Empire, threw it up into the air and caught it again, turned it inside out, and then handed it across the Table as the Chamberlain compromise. It was done so rapidly that it took the House of Commons in, and especially Mr. Asquith, who got up and congratulated the right hon. Gentleman on having arrived at a solution which was honourable to both sides. The House of Commons apparently went home thinking that such an agreement had been arrived at. But there is a French proverb which says, *La nuit porte conseil*, and when the Members of the House of Commons came down to breakfast and read their *Times* they found there was no agreement at all, but a surrender. As the critic of *The Times* newspaper said—

"To all appearances the Colonies were ready to acquiesce in the original decision of the home Government. But time may, perhaps, show that here the sacrifice has been excessive and unwise."

It was no longer an agreement, but a sacrifice. Men went forth to their labours. They read the *Daily News*, the *Daily Chronicle*, and the *Westminster Gazette*, and the scales fell from their eyes. They discovered that this so-called agreement was a surrender, a surrender, I admit, of an impossible and dangerous position, and a position that never ought to have been taken up, but a surrender as complete and as unconditional as that of the Boer commander Cronje to the soldier-statesman Lord Roberts. I should like to ask what is the position of those men who so loyally supported the right hon. Gentleman when he decided to knock out the 74th clause and to retain the Privy Council? What shall we hear from noble Lords who supported this action of Mr. Chamberlain? Shall we hear that they have changed their mind with the Secretary of State, and that they agree with this unconditional capitulation? I have but one word more to say. I hope the House will put its foot down on the doctrine which has been assiduously preached in some places, that Australian nationalism and federation is a Tory discovery, and that the friendship and support of the colonies are of Tory creation. This has been preached in the country by people who ought to know better, and I hope that both sides of the House will stand shoulder to shoulder in their determination to stamp out any attempt to make political capital out of Australian federation. I have to apologise for having made such a lengthy speech, but I must say, in conclusion, that we unitedly hail the wise and patriotic action of Australia as a step towards that still larger federation of equal rights and common citizenship under the Crown, and towards that dual allotment of responsibility in all dealings with other nations which must give permanent security to our Empire at large. A united House of Lords offers its congratulations to the delegates on the victory they have so deservedly won, and a united Empire will congratulate your Lordships' historical and hereditary House on unanimously passing the Second Reading of the Australian Commonwealth Bill.

THE LORD CHANCELLOR (The Earl of HALSBURY): My Lords, I have listened with amazement and the greatest possible pain to the oration which has just been made. The noble Lord lays down the dogmatic proposition that it is undesirable to make political capital out of this Bill. Yet he has given an extraordinary and distinguished example of the wish to do it himself. I should like to know very much what is the attitude of the Liberal party in respect of this Bill. Do they admire it and desire it to be passed, or not? Judging from the conclusion of the noble Lord's observations, he desired that both sides of the House

unanimously and with great applause should pass this Bill. May I ask, if that was the meaning of his oration, what was the object and purpose of that oration? In what one respect beyond his concluding sentence has he said anything to induce you to pass it with that applause, beyond a very violent and, if he will forgive me for saying so, I think a very inappropriate attack upon the Secretary for the Colonies, in which not only his conduct in respect of this particular Bill (as to which I shall say a word presently), but in respect of his whole political career has been the subject of a most violent attack? May I suggest to him that it is very easy to say hard things of persons who are not present to defend themselves? Mr. Chamberlain, I can assure him, is quite able to answer for himself, and if in the House in which he sits and speaks this oration had been made, I am sure he would have had a good answer to each of the gibes the noble Lord has indulged in. What are we dealing with?—a Bill that has been approved of by the Australian people and by the House of Commons (on both sides) in its present form; and I do not understand what the noble Lord means by his suggestion that after the House had approved of it they woke up next morning and found they had been deluded. What evidence is there of that? I am not aware that the House of Commons has retracted the approval it gave, or was so confused that it did not know what it was doing. Upon what authority does the noble Lord say that the Liberal party retracted their approval, and is he put up here to say that the Liberal party, if they dared, would refuse to accept this Bill? If not, what is the meaning of the statement that the House of Commons had changed its mind and did not know what it was doing? I am afraid the noble Lord is intoxicated by his own eloquence. What is the objection to what has been done with great care, assiduity, and skill? My right hon. friend the Colonial Secretary welcomed the views of the delegates, listened to their objections, and pointed out the extent to which he was not able to meet their views. When, after consultation with the various Prime Ministers of the various colonies, they came round to what has been called a fair and intelligible compromise, the House of Commons unanimously, I may say, approved of and admired the skill with which that compromise had been effected. What are we discussing? What does the noble Lord object to? What is there now in the Bill which can justify his extraordinary attack on Mr. Chamberlain? I am not aware that the noble Lord has pointed out anything that is wrong. Is this speech to be quoted in Australia as the opinion of noble Lords on the Liberal side of this House in respect to this measure? The legal, commercial, and all the other elements which constitute Australia's greatness have approved of this Bill, and it is received in this House by a speech in which every gibe which ingenuity and fluent rhetoric could suggest was levelled at the Colonial Secretary for accepting that view. I do not know what is supposed to be the object of this speech, but it appears to me that it is calculated to do great mischief and is calculated to spoil the harmony and the unanimity with which this country accepted this Bill. It certainly will give rise to the suspicion that, though the Liberal party in the House of Commons accepted this Bill in the spirit in which they did accept it, it was sorely against their will to do so, and if they had had the chance they would have rejected it. I hope that that is not the case, though it is what the noble Earl's attack on Mr. Chamberlain would lead one to suppose. I do not descend to argue what has not been argued at all, but what has been thrown out as a mere suggestion. I rise solely for the purpose of making this protest against what is, to my mind, a most mischievous speech, calculated to give great offence and to do no possible good that any human being can suggest.

*LORD DAVEY: My Lords, I regret that the noble and learned Lord on the Woolsack has not given any explanation as to some of the clauses of this Bill which have been referred to. I shall not, of course, follow the Lord Chancellor in the remarks he made upon the speech of the noble Earl below me, but shall confine myself to a few criticisms of the Bill. I do so, not with any hostile intention towards the Bill, but because this is the only opportunity one will have of offering such criticisms. In the concluding words of the speech of the noble Earl who moved the Second Reading I am sure every one of your Lordships will concur—namely, in congratulating the people of Australia on having brought this great project to so

successful an issue. I am disposed to go further and to say that I feel sure those of your Lordships who have studied this Bill, including those who take part in the judicial business of this House, must have been struck by the care, pains, and skill with which this Bill has been constructed. It is not humanly possible to so frame a Bill of this kind as to avoid giving loophooles for litigation, but I have never seen any Bill drawn more skilfully and with greater care than this one. I would like to draw your Lordships' attention for one moment to Clause 51. That is a very remarkable clause, because, differing from the analogy of the Constitution of the great Dominion of Canada, it does not propose to give exclusive powers to the Parliament of the Commonwealth, but names a number of subjects on which the latter will have concurrent jurisdiction, as the noble Earl said, with the Parliaments of the different States which compose the Commonwealth. In that way you will avoid many questions which have arisen between the provinces and the Dominion of Canada as to the limits of their legislation. But, on the other hand, I am afraid the Australian people will find that they will fall into another class of difficulty—namely, the difficulty of reconciling the Acts passed by the Commonwealth Parliament with the Acts passed by the different Parliaments of the different States on the same subjects. There will, in short, inevitably be considerable overlapping. Those of your Lordships who have looked through the numerous subjects included in Section 51 must have been struck by their generality. That is no fault of the Bill, because in a Bill of this kind you cannot foresee the detailed manner in which these questions will arise, and all you can do is to lay down general principles regulating the legislative limits of the Parliament. But the generality with which this clause is expressed will, of course, give rise to many questions. Undoubtedly many questions of a Constitutional character will crop up both as to the limits of the legislative powers of the Commonwealth and of the States, and also as to the reconciling of Acts passed by both the States and the Commonwealth under their co-ordinate powers. During my practice, which was spread over a great many years, before the Judicial Committee, and since I have had the honour of a seat on that body, I have made the personal acquaintance of many of the gentlemen who have been and are judges of the Australian Courts, and I have had an opportunity of seeing their ability and the impartiality and integrity with which the judicial work in Australia is carried on. I have no doubt that the Judges of the Australian Courts will approach the consideration of these constitutional questions in a large and statesmanlike spirit, and will treat this Act as it ought to be treated, more in the nature of a treaty for the purpose of reconciling conflicting interests. The fact that it must inevitably lead to a great many difficult questions lends all the more importance to the consideration of the clause which was referred to by the noble Earl, and which has been so much discussed, not only in Parliament, but in the public press and in the country—namely, Clause 74. That clause has gone through, I think, four transformations. As it originally appeared it provided that no appeal should be permitted to the Queen in Council on any matter involving an interpretation of the Constitution unless the public interest of some part of Her Majesty's dominions other than the Commonwealth or the States was concerned. But as regards matters not involving any constitutional question, the appeal would lie from the High Court to Her Majesty in Council by the leave of Her Majesty in Council. The first proposal made by the Government, as I understand it, was that the appeal to Her Majesty in Council should be maintained intact. That was found impossible. The second proposal was, I think, of a rather extraordinary character. It was that an appeal should be allowed with the consent of the States involved. That amounted to saying that a defeated litigant should not be allowed to appeal except with the leave of his victorious opponent, and that could not be maintained for a single moment. Next we have the clause as it is at present, and it is most important to consider in what way it differs from the clause as it originally stood. In the first place, I have an old-fashioned prejudice in favour of the English language in a British Act of Parliament, and I do not see why Latin words should be introduced when English words would do just as well. But that is rather a small criticism. I should like to know what is the meaning of the words "unless the High

Court shall certify that the question is one which ought to be determined by Her Majesty in Council." If it means nothing more than that no appeal shall be allowed except with the leave of the High Court, then I can understand it. But what is the meaning of "one which ought to be determined"? The clause means nothing more, I apprehend, than this, that an appeal shall not lie without the leave of the High Court, leaving the High Court to lay down the principles and conditions under which such leave shall be granted. I think it is a great pity that the ordinary well-known legal language was not used in this case. Coming to the substance of the clause, it appears to me that it is both larger and narrower than the original clause. It is larger because it gives larger jurisdiction to the High Court, those very important words to which, I understood, the Colonial Secretary attached considerable importance, having been omitted. The original clause contained the words "unless the public interest of some part of Her Majesty's dominions other than the Commonwealth is concerned." I should like to ask why those words are omitted in the clause as it at present stands. As the Bill was originally drafted there was an appeal to the Queen in Council, by leave of the Queen in Council, from the decision of the High Court on constitutional questions which affected the public interest of any other part of Her Majesty's dominions, but under the clause as it is at present worded, although the question may be one vitally affecting some other part of Her Majesty's dominions, no appeal will lie to Her Majesty in Council except by the leave of the High Court itself. I think we are entitled to some explanation why those words have been omitted. As the Bill originally stood constitutional questions were made the exclusive jurisdiction of the High Court. In that respect the clause as it at present stands differs very materially, and it also differs in this, that an appeal—and this is a matter of very considerable importance—will lie from any of the State Courts to the Privy Council, that is, to Her Majesty in Council, on any constitutional question, as well as on any other question, as it did before. As the Bill was originally framed no constitutional question, whether it came from the State Courts or the High Court, could be brought by way of appeal to Her Majesty in Council, but as the Bill now stands constitutional questions may come direct from the State Courts to Her Majesty in Council. I do not hesitate to express my personal opinion that constitutional questions are exactly the class of questions which I should have thought that Australians would have wished to refer to Her Majesty in Council. And for this reason. In a question between individuals the matter may, and generally does, affect merely the interests of the individuals, but constitutional questions between two States may create a vast amount of feeling in those States. Suppose a question arose between Victoria and New South Wales. It is inevitable that a certain amount of local and State feeling would arise. At any rate, it is quite possible that friction would accrue. I do not question the absolute impartiality and integrity of the Australian Judges, but it is important, not only that they should decide the question impartially, but also that the public should believe that they would decide it impartially, and I should consider that there was a danger that the public might think, in a burning question which excited interest in two States, that the opinions of the Judges in the Australian Court had been more or less influenced by outside agitation. Do not believe for a moment that I say I think it would be so. I do not. But I say they ought to be preserved from any suspicion of that kind, and for that reason I should have thought that this was exactly the class of cases which would more fitly come to be decided by a tribunal which, whatever may be said of it, is not influenced by local or colonial agitation. I admit, in the fullest possible manner, that that is a question for Australians themselves to decide, and as they have thought fit to come to that decision—no doubt from excellent reasons and after much debate and discussion—I do not wish that the opinion of this country should override Australian opinion on the subject. It has been said that the arrangement which is at present made by Clause 74, is, in substance, that which prevails in the Dominion of Canada, and I observed that the noble Lord, in the very interesting and able speech with which he introduced this Bill, made an observation which had previously been made by the Attorney

General in another place. But it appears to me that the difference between the two is absolutely vital. In Canada, as the noble Earl justly said, a litigant can appeal straight from the Provincial Court to Her Majesty in Council, or he may, if he prefers it, appeal to the Supreme Court, and there in no appeal from the decision of the Supreme Court without the leave of Her Majesty in Council. I may here take the liberty of saying that it is an exceedingly difficult thing to obtain that leave; it is only given where a really serious question affecting not merely the interests of the litigants but of others of Her Majesty's subjects, such as the construction of an Act of Parliament or something of that kind is concerned. Permission is not usually given in cases where the Supreme Court has agreed with the Provincial Court, or unless there has been considerable difference, as there sometimes is, of judicial opinion within the Supreme Court itself. No doubt some conditions of the kind will be observed by the High Court of Australia in giving leave, when they are asked to do so, for an appeal from their decision; but, as I said just now, the difference between the two cases appears to be vital. Clause 74 as it stands is a perfect solecism in jurisprudence, and for this reason, that it creates two final coordinate courts of appeal, neither of which is bound by the decision of the other. Suppose, for instance, a question arises in one of the State Courts, and it goes by way of appeal to the High Court, and the High Court decides unanimously one way. The same question, we will suppose, arises affecting the same States or different States—it matters not much—and the defeated litigant (the State Court having followed the decision of the High Court) appeals to Her Majesty in Council, and the Judicial Committee advises Her Majesty to take a different view from that taken in the High Court, with the result that a decision is given the other way. The Judicial Committee, of course, is not bound by the decision of the High Court, nor, as I understand, is the High Court bound to follow the decisions of the Judicial Committee in matters of this kind. They may therefore each maintain their own opinion. I know that the answer that may be made to me is that the Australian Judges are men of such high principle and good sense that they will find some way of either agreeing with the Judicial Committee, or of allowing the matter to be finally decided. They may; but it lies in their discretion, and unless they do so you will have two coordinate Supreme Courts of Appeal from the same Courts on the same class of subjects deciding in entirely different ways. That, I venture to think, is a solecism in jurisprudence. Just consider in what condition the State Courts would be put in that case. You would have this very curious result, that the men who were victorious in the State Courts would always be defeated ultimately; and for this reason. If a State Court followed the decision of the High Court the defeated litigant, of course, would not then go to the High Court but to Her Majesty in Council. But, on the other hand, if the State Court, not considering itself bound by the High Court, should follow the decision of the Privy Council, then the defeated litigant would, of course, go to the High Court and the High Court would maintain its own opinion and reverse the opinion of the State Court. Therefore, whoever gets the first decision in the State Court under this clause, if it is maintained in its present form, must suffer ultimate defeat. I do not think that is a very happy solution of the difficulty. The original clause was perfectly logical. It gave the High Court exclusive jurisdiction, but the present clause does not commend itself to my judgment or experience. I do not suggest that your Lordships should make any alteration in the clause. I have made these criticisms in the hope that the question may be considered by the Australian authorities, who have the power, if they think fit to exercise it, of making such modifications in the clause as will remedy the inconvenience I have pointed out. I saw in the ordinary sources of information this morning a suggestion by a gentleman who writes with some knowledge of the subject—I think one of the Australian Judges—that it should be altered in this way, that whenever the High Court disagreed with the Court below (the State Court) on a constitutional question, then there should be an appeal to Her Majesty in Council as of right. That, of course, would at once remove any inconvenience that might otherwise be felt, because then the Privy Council would continue to be the sole ultimate appeal authority. But whether any provision of

that kind can be adopted is, of course, as I have said, a matter entirely for the Australian statesmen and lawyers to settle for themselves. I have only to say, in conclusion, that I hope my humble contribution to the criticisms of this Bill will not be misunderstood. It is not conceived in a spirit of hostility. I have no right, in answer to the challenge of the noble and learned Lord on the Woolsack, to speak for the Liberal party, but I can only say, as a humble member of that party, that I rejoice as heartily as any of your Lordships at the introduction of this Bill.

*THE EARL OF JERSEY: My Lords, after what has fallen from the noble and learned Lord, the Lord Chancellor, I shall not detain your Lordships except for a few observations with regard to two points. I think the noble Lord opposite did not do justice to the speech in which the noble Earl the Under Secretary of State for the Colonies opened this debate. I thought the speech of my noble friend Lord Selborne was certainly couched in clear and distinct terms, and he brought before the House all the salient points in the Bill. We must remember that this measure has been before the public for a great many months, that it has been followed very closely, and that as it comes before the House it is the result not only of the views of the other House of Parliament but also of the views which are held by the very Colonies of Australia who are interested in the matter. There was also one other point the noble Earl mentioned. He was surprised that the Colonial Office had not interfered to express their views when this measure was being discussed in Australia. I thought it was the great glory of this Bill that it was the work of Australians for Australia, and I could imagine the indignation which would have been raised through the voice of the noble Earl opposite if the Colonial Office had taken upon themselves to tell Australia what their Commonwealth Bill should be. My Lords, my words will be very few, and my only excuse for saying anything at all is on account of the interest I must naturally take in the welfare of Australia. The Parliament and the people of this country have accepted this measure with trust and hope, and why have they done so? The gallant deeds of the Australian troops, and the enthusiasm of the Australian people, have created the greatest interest in this country, and the feeling that not only are we one by race and language, but also in spirit and sentiment. But those who have had the advantage and the honour of being associated with Australian Parliaments and Australian public men have an additional and a greater reason for their hope and trust. May I, just in passing, say that I feel perfectly certain that there is no body of men who can be more trusted to do their duty free from outside pressure and free from outside excitement than the Gentlemen who fill the posts of Judges in that country. The same questions, the same problems, which we have to deal with at home are also to be met and to be dealt with in Australia. They have been dealt with hitherto with great success, and we have some reason to believe and to feel confident that, as these questions have been dealt with in the several colonies successfully, so when there is a united Parliament to deal with them they will be dealt with even still more successfully, and that if under the old *régime* the different colonies have advanced rapidly to success, still more rapid will be the advance of Australia when all her best councillors meet together in unison. Now consider what this measure will effect. A vast continent, almost as large as Europe, will for the first time be joined together under one directing Government. Hitherto there have been no less than six different Governments dealing with that continent, and some of them sometimes actuated, one must admit, by a spirit of jealousy, which, we trust, will for ever now disappear. The power of this united country will be something enormous. Its policy—and everyone must admit that Australia should be supreme, should be predominant, at any rate, in the Pacific Ocean—and the direction of its sentiment will be under one head, so that we may feel certain that we are creating a country which in time to come will probably do on that side of the world what we hope, not in vain, I trust, that Great Britain has done in this part. And, my Lords, can any country be started upon a fairer basis than the one which we are about to start now? Because we must remember that, by this Commonwealth Bill, United Australia in a few years will be totally different to what it has been in the past, with its separate colonies, and I certainly believe that, under Divine Providence, we*

are about to give the most priceless gift which our generation, or almost any generation, can give to those who hereafter will live to enjoy the blessings of a free Constitution. My Lords, there is no doubt that a measure like this has not been arrived at without a great deal of labour and trouble; conflicting interests have been brought together; and we ought to give our meed of admiration to those who, not only in the Convention, but in addressing their fellow-citizens, have succeeded in bringing the people of Australia nearly to one mind upon this subject. I quite agree with what the noble Earl said, that men like Mr. Kingston and Mr. Barton and Mr. Deakin deserve well of the Empire also for their work, in the way in which they have shown their abilities and their common-sense in dealing with the difficult questions they have had to deal with in this country. In the future history of the Empire it is almost certain that there will be from time to time awkward questions arising, questions which can only be settled by the exercise of common-sense and goodwill upon both sides; and surely, if any man may feel satisfied with what he has done during six years it is the Colonial Secretary, notwithstanding the attack of the noble Earl opposite. If it had not been for him it is quite possible that this question would have been in a very different position now. He requires no praise from me, but, at any rate, he must have the satisfaction of knowing that the result of his labour has been that the House of Commons has passed this measure, that this House is not prepared—not one, I believe, in this House is prepared—to go against it, and that he has the support of all the five colonies interested. That must, after all, be the best answer that can be given to any attack as to whether he acted well or not. My Lords, I will say no more, except this: that we are about to set our seal upon a measure which will not only add to the power of Australia for good in the future, but which will also sensibly increase the resources and the strength of the whole Empire.

THE EARL OF KIMBERLEY: My Lords, in the first place I wish to dispel any idea that may be entertained by the noble Earl on the Woolsack or any Member of this House, that I do not regard this Bill with the utmost favour taken as a whole. I regard it as a most auspicious event to the Empire. I regard it as reflecting the highest credit upon the Australian statesmen who, with much difficulty, have managed to frame what is admitted on all hands to be a most excellently drawn up Constitution for that great country. After all that has been said it is really unnecessary to go into the matter at large, or to say anything more than that it is an auspicious occasion. We are not called upon to criticise the greater part of this Bill. That has passed without any objection whatever. The noble Earl who moved the Second Reading very properly and very clearly went through the different clauses of the Bill. I am not going to discuss these clauses, with the exception of one to which I will refer presently, because there has really been no contest whatever with regard to them. I wish to impress upon the House, turning our eyes altogether for a moment from the one disputed clause, that it is to the highest credit of those who framed this Bill that it should be a Bill which, taken generally, and even in detail, has met with the general approval of the British Parliament. I say that that is a remarkable effort in the way of drawing up a constitutional document. We have never attempted to draw up a Constitution in writing in this country, and I should have doubted myself whether we were qualified to do it. But I should change my mind now, because I should say that probably we are as well qualified as our Australian brethren, and our Australian fellow-subjects have shown us that it is quite possible for men of the English race to draw up a constitutional document of this kind with perfect success and clearness. Now, my Lords, having said that, I will not trouble the House on the subject of the Bill generally, because I think I should be occupying your time unnecessarily; but I will now refer for a moment to Clause 74, which has been the subject of considerable controversy. Of course, I am not going to attempt to discuss the legal questions involved. I must, however, say a word in reference to the remarks of my noble friend Lord Carrington upon this Clause 74, around which has raged whatever controversy there has been. It is perfectly true that there are men on this side of the House—and I am perfectly free to confess that I include myself

among them—who, however they may regard this as a non-party matter and rejoice at the establishment of this Constitution for Australia, yet do not think themselves entirely debarred from criticism as to the manner in which the controversy on Clause 74 has been conducted. I hope I am not usually ungenerous to opponents, and I certainly have not the least wish to be ungenerous towards the Colonial Secretary; but I think there is an impression—and something said by the noble Lord who has just sat down rather tends to confirm it—that there has been a desire shown to ascribe an undue amount of credit to the right hon. Gentleman for his share in bringing about the settlement of this Constitution. In point of fact, the passing of this Bill, except in regard to the 74th Clause, did not depend upon any Colonial Secretary, nor, in point of fact, did it depend on Her Majesty's Government, because it was not framed here and did not proceed from any suggestion from Her Majesty's Government; and, indeed, I think it is to the credit of Her Majesty's Government and of all parties that they did not commit the egregious error of attempting by proposals made here to induce the Australian colonies to adopt a federation. I have always held, and I am more than ever convinced of it, that all proposals for federation should emanate from the colonists themselves. Without going back upon an old subject which is present to my mind, I must say that the attempt of an old friend of mine, whom I much esteemed, though he was a political opponent, Lord Carnarvon, by active measures on the part of Her Majesty's Government to bring about federation in South Africa, was one of the most disastrous events in the history of those colonies. Perhaps I may be allowed to say that my noble friend, after he had determined upon his action, came across to me in this House and spoke to me about it. I told him I was entirely in favour of federation, but I condemned his action and told him his attempt would end disastrously, though I promised him I would put no impediment in his way. I regret to say that my prevision turned out to be well founded. I merely mention this by the way, but again I say it is not reasonable or fair to give exclusive credit to the Minister upon whom happens to devolve the duty of carrying a measure of this kind through Parliament. I do not wish to detract from the value of the service rendered by any Minister, but I do say it is not right to ascribe credit for the Bill to Mr. Chamberlain, or in fact to any one in this country. With regard to Clause 74, I cannot help thinking, reading the clause as it stands here and referring to the clause as it stood in the original draft, and without professing to have any great legal knowledge, the difference is by no means large, and I have extreme doubt whether any particular advantage has been gained by all the controversy which has been set up. The clause, as it stands is, no doubt open to criticism, as my noble friend behind me has shown. The clause as it stood protected specially, in direct terms, any interest which might be outside the Australian colonies; the clause as it stands does not give that protection. Well, I am not saying that I attach very serious importance to it, but still you must set off one thing against another, and I doubt very much indeed whether much has been gained, while undoubtedly, although the whole matter has ended happily, some considerable risk was run in the course that was taken, and considerable apprehension was roused in the minds of many who were greatly in favour of the Bill. No doubt a settlement has been arrived at; no one rejoices more than I do that that settlement has been arrived at, and that it is accepted by the colonies; but I doubt very much whether anything was gained by running the considerable risk of questioning what the colonial referendum had approved. The fact that these numerous changes were made in the proposals laid before the other House showed, in my opinion, not any very judicious apprehension of the whole matter, nor do I think it showed any particular skill in negotiation or in the managing of the Bill. However, all's well that ends well; and I am quite willing to congratulate the Colonial Secretary that this matter has ended as it has ended. The noble Lord on the Woolsack spoke very severely of my noble friend near me, and said, as I understood him, not only that he had made an attack upon Mr. Chamberlain, but also that he in point of fact had attacked the Bill. Now, I understood my noble friend to have as strong a feeling of approval of the Bill, speaking of the Bill generally, as any noble Lord in this House; and therefore the matter turns entirely upon the attack

which he made on Mr. Chamberlain. I think we cannot altogether exclude from our debates attacks upon statesmen in the other House, who sometimes are not very scrupulous in their attacks upon those who sit here; and, although I think I may say that I have no particular tendency that way, yet I have heard in this House, in the course of my experience here, very severe attacks indeed made upon colleagues of mine by distinguished members of the Opposition. I shall not mention their names now, because, unhappily, they are no longer Members of this House, but they were very distinguished men, of great authority—I mean the men who made the attacks—men who justly commanded admiration, not only from their own party, but, by reason of their ability, from those who opposed them; and I certainly have heard not a few attacks which have been made of a very severe character indeed upon Members of the other House. I remember one to which I myself undoubtedly took exception, very much in the way that to-night exception has been taken to the remarks of my noble friend. It is always a very convenient thing to say, "Oh, you must not make an attack in this House upon a Member of the other House." Well, for my own part, I confess that I would always rather have my opponent facing me—that would be more agreeable to me and fairer to him; but we cannot altogether exclude from our debates in this House comments upon the proceedings, the opinions, and even sometimes the character of public men who occupy high and distinguished positions in the other House, and I should protest against any doctrine that laid it down that such attacks should be altogether excluded. I say that entirely apart from the merit of the attack; each case must be judged by itself; attacks may be made which are not deserved, and attacks may be made which are deserved. My noble friend, I think, might have some ground for criticising the manner in which the negotiations were conducted, and I, myself, cannot help thinking that there was a great want of foresight in not having, during the time that these matters were under discussion in Australia, confidentially made known to the statesmen of that country, without interfering directly with them, what were the opinions held here upon so important and so very difficult a matter as the question of the appeal to the Privy Council. It seems to me that that kind of assistance ought to have been given to the Australian statesmen; if they had been made aware of what was the opinion of the highest authorities in this country, which might easily have been conveyed to them two or three years ago, it might have led, not to a formal agreement embodied in despatches, but to the production of some clause which would have been accepted beforehand by all parties. I do not mean negotiations. I merely mean that they might have been made acquainted with the views of important people here in a confidential manner. My Lords, I have really nothing more to say to your Lordships, except again to repeat that I welcome this as a very great and most important measure; and I believe, with the noble Earl who has just sat down, that it will tend to the augmentation of the prosperity and the contentment of our great colonies in Australia, that it will strengthen the whole Empire, and that, as he said most justly, it will lay the foundation of such a State as we may hope may eventually prove to be one of the most important branches of this Empire—taking part in the defence of the Empire, showing to us, by experiments which they can easily try in a new community, and which we cannot so well try in an old community, what may be the best mode of dealing with the new problems which from time to time arise. And I look forward to the day when, if we continue to allow them to govern themselves in their own way, with as little interference with them as it is possible to exercise, this country will be surrounded by a number of great States, descended from us, which will form part of the Empire, but in point of fact will be close allies, bound to us not merely by ties of interest, but also by that strongest and most important tie—the tie of common kindred, common loyalty to a common Sovereign.

*Lord JAMES of HEREFORD: My Lords, this Bill has been subjected to different degrees of criticism, and those who have been connected with it have had their actions somewhat criticised. The speech of the noble Earl opposite, Earl Carrington, I think will live in the memories of most of us—at any

rate, the humorous and good-natured portions of his speech; and I think we shall be disposed in the end to come to the conclusion that the noble Earl did not intend to attack very violently either the measure or the right hon. Gentleman who had charge of it in the other House. We learn from the noble Earl opposite that Lord Carrington is an enthusiastic supporter of this Bill—that he approves of it as much as the promoter of it. Why, then, the promoter of it was so attacked it is not worth while to discuss. One sentence in the speech of the noble Earl, the Leader of the Opposition, was somewhat superfluous—it was the statement that he was not in the habit of attacking his political opponents unduly, for I feel sure there is not a Member of this House who is not well aware that the noble Earl opposite is not apt to criticise political opponents unduly, and that he never makes an unfair attack upon those with whom he differs. Now may I call the attention of the House very briefly to what the criticism of the noble Earl opposite is? He does not object to the wording of the Bill; he does not object very much to the course taken by the Minister who had the principal charge of this Bill in the negotiations here; but it is rather a criticism of a negative character. Why, says the noble Earl, did not the Colonial Secretary some two or three years ago make a communication in an informal manner to those who represented the colonies, and tell them what his thoughts were upon the subject? Now I appeal to the noble Earl's fairness, the admiration for which he has so truly won from the House. He goes back to the year 1897. In 1897 the representatives of the colonies came to this country, and the Colonial Secretary made to them exactly the communication which the noble Earl now says he ought to have made. He has stated in the House of Commons that he did take that course. Now, accepting as we do the very eloquent peroration of the noble Earl that we are all agreed upon the beneficent objects of this Bill and the manner in which it has been conducted, do let it be noted that here in this Chamber the only criticism which the Leader of the Opposition has to make in respect of the Bill, or the conduct of, it is to complain that that was not done which was absolutely done in the very terms in which he says it ought to have been done. Mr. Chamberlain took the very course which the noble Earl says he ought to have taken; and I hope it will go forth that the course which the member of the Government who had charge of the Bill took was the very course that the noble Earl with all his experience and judgment and his knowledge of the colonies—having been in the Colonial Office—says ought to have been taken by those in charge of the Bill.

THE EARL OF KIMBERLEY: Will the noble Lord allow me to say one word? The Bill was not printed, if I remember rightly, in 1898. Of course, my view was that a communication ought to have been made upon the words of the Bill as it was provisionally framed—not that before the Bill was provisionally framed the matter should have been gone into. I said two or three years ago, and I was not far out in my dates, but that was what I meant.

*LORD JAMES OF HEREFORD: I think the noble Earl's explanation leaves the matter as I put it; but was it not wiser for the Colonial Secretary to suggest his views and to state before the Bill was framed what his views were? If he had delayed doing so, would not the observation which fell from my noble friend Lord Jersey have come into effect—what would the colonies have said if they had been interfered with by the home Government at the very time when they were in federation trying to agree upon a Commonwealth Bill? The Colonial Secretary really took the very course which the noble Earl himself says ought to have been taken. Now I desire to deal very briefly with some of the criticisms which fell from my noble friend Lord Davey. I am sure that here again we shall agree that all his criticisms were uttered in a spirit of good feeling towards this Bill. His first criticism was upon Clause 51. Of course that clause involves a great deal of overlapping, because there might be a conflict between the State Parliament, the Provincial Parliaments, and the Federated Parliament. Everyone has borne testimony to the way in which this Bill has been drawn in Australia. The noble Earl, Lord Carrington, said that the Secretary of State ought to have accepted the Bill *in totidem verbis*—that he ought not to have rejected anything.

*LORD DAVEY: I think my noble friend has misunderstood me. I think

I said expressly that the Bill excited my admiration; but I said that it was inevitable that there must be overlapping, not from any defect in the drawing of the Bill, but from the nature of the subject.

*LORD JAMES OF HEREFORD: The noble Lord, I understood, maintained that Clause 51 would produce that result.

*LORD DAVEY: Not from any defect in the drafting of the Bill.

*LORD JAMES OF HEREFORD: It is not a matter of drafting, but I think my noble friend's attention cannot have been called to the very important consideration that those who drew the Bill in Australia saw that some overlapping might occur, because in Clause 109 they deal with this very difficulty. The clause says—

"When the law of the State is inconsistent with a law of the Commonwealth the latter shall prevail, and the former shall, to the extent of the inconsistency, be invalid."

So that they saw that very point, and they made provision for it. Overlapping, as my noble friend says, was inevitable from the nature of the question, but they provide that when it does occur the law of the Commonwealth shall prevail as against the law of the province. Now, my Lords, only two other principal objections were taken by Lord Davey. I am sorry to detain your Lordships at all, and I will therefore be as brief as I possibly can. My noble friend said in the first place that there was a difference between the appeal which exists in Canada being given by the leave of the Privy Council and the appeal that was given by the leave of the High Court. That is so, but I should say that the method suggested by this Bill is the better. It is in favour of the colony. The suitor from Australia would have to come to this country and produce before the Privy Council here all his statements, in order to obtain his leave to appeal. It is easy to see what an expensive process this would be to the suitor living thousands of miles away. The High Court has all the necessary knowledge before it. It has the counsel engaged in the case, and it has full knowledge of the case, and then and there at the end of the case the application can be made, at no expense, probably, at all—at least, a very nominal expense. That is a great advantage to the colonial suitor, and is it not advisable to meet the wishes of the colonies upon this point, and to give to their Court the right of giving leave to appeal, rather than bring the suitor here this long distance to obtain that leave? It is nothing to say that on a matter of procedure of this kind—not a matter of principle—there would be a difference of procedure between Canada and Australia, if the interests of the Australian suitor have been considered. Now, only one other main objection was taken by my noble friend. He pointed out that under Clause 74—and I really think that this is the substance that we have to deal with—you will have an appeal from the State Court and you will have an appeal from the High Court.

*LORD DAVEY: No; either to the High Court or to the Privy Council.

*LORD JAMES OF HEREFORD: I said so—from the High Court to the Privy Council.

*LORD DAVEY: From the State Court.

*LORD JAMES OF HEREFORD: The objection my noble friend made is grounded entirely on this: that you will have a judgment of two co-ordinate Courts, and that there will be no superior judgment of one Court only. If my noble friend will allow me for once to differ from him, I do not think that is so. I think that the decision of the Privy Council would prevail, and must prevail. The decision is the decision of the Queen. It is not the decision of any body of men—it is the decision of the Queen herself, the fountain of justice administering justice throughout her Empire both at home and abroad. No man delivers that judgment personally, it is delivered in the name of the Queen herself. There is an appeal from the High Court to the Privy Council, and as the Privy Council has the power of reversing the opinion of the High Court, not only by mere comity, but in fact, the decision of the Privy Council would be superior to and would affect the judgment of the High Court, and no judge of the High Court in Australia would presume to say that the judgment of that Court should prevail against the judgment of the Privy Council. This point has been fully considered by those whose judgment the Government had a right to rely upon, and

it is their firm belief that that is the case. This is the view that, after remission of the state of things to the advisors of the colonies by their delegates, has been arrived at as a fair solution. I hope that the spirit which the noble Earl the Leader of the Opposition has shown us, is the unanimous feeling of this House—that really there is nothing by way of criticism that ought to cast a doubt on the efficiency of this great measure, which has been placed in the position it occupies mainly by the great efforts and discretion of my right hon. friend Mr. Chamberlain.

LORD RUSSELL OF KILLOWEN: My Lords, I do not propose at this hour, notwithstanding the importance of the discussion, to occupy your Lordships beyond a moment or two. I confess, having listened to the whole of this debate, there has seemed to me to be an air of unreality about it except in one respect, namely, in the concurrence—the gratifying concurrence—in all the speeches delivered on both sides of the House in rejoicing that this measure is about to receive the assent of the Imperial Parliament. I say the tone of the debate is unreal, because one cannot shut ones eyes to the fact that, recollecting the history of this Bill, the enormous labour that its preparation involved, the necessity for the assents to the very terms of the Bill of so many widely diversified and widely apart interests, no one proposes to introduce an Amendment into the Bill, but we all understand that it is to be passed in the exact form in which it left the House of Commons; therefore our discussion is of an academic character. But I cannot pass without noticing the criticism of my noble and learned friend who has just sat down upon the speech of my noble friend near me (Lord Davey). The first point which it seems to me necessary to draw attention to is the effect of the original appeal clause as it stood in the proposition of the delegates. Now, I do not agree at all with my noble friend the Earl of Carrington, who opened the debate on this side of the House, in undervaluing, or regarding as an unimportant thing, the question of an ultimate appeal to the Queen in Council. On the contrary, I should have liked to see this Bill give unrestricted rights of appeal, subject to the leave of the Privy Council, and subject to regulations with reference to the importance of the subject-matter in controversy and the like, but unrestricted liberty of appeal in every question in which other than purely Australian interests were concerned. For I regard that right of appeal to the Queen in Council, not merely as an important indication of the Imperial Sovereignty of the United Kingdom, and of this Imperial Parliament as its mouthpiece, but also as a not unimportant factor operating in the direction of a uniformity of system of law between the home country and the colonies, and even a not unimportant factor, working in the direction as far as varying circumstances may properly admit, of something approaching uniformity in the law itself. Now, as the Bill was originally presented this was its effect; that appeals were allowed in all matters except certain constitutional questions there referred to, and even in those questions appeal was allowed to the Queen in Council where any public interest was involved. This is the exact effect of the original clause as it stood, which clearly recognised the Privy Council as the paramount court. What is the clause as it now is? The clause as amended is this:—

> "No appeal shall be permitted to the Queen in Council from a decision of the High Court upon any question howsoever arising as to the limits *inter se* of the constitutional powers of the Commonwealth and those of any State or States or as to the limits *inter se* of the constitutional powers of any two or more States, unless the High Court shall certify that the question is one which ought to be determined by Her Majesty in Council. The High Court may so certify if satisfied that for any special reason the certificate should be granted, and thereupon an appeal shall lie to Her Majesty in Council on the question without further leave."

Now, what is the result of that? The result of that is this—and it has not yet I think been stated to the House. The result is to do away absolutely with the exercise of the Queen's prerogative in every one of the cases coming within that exception. It cuts down the prerogative of the Queen. It is not that it leaves it open to the Queen by those who advise her to say whether any appeal shall or not be permitted, but it makes it impossible for the Queen to grant permission in such a case. You will recollect that in order to make it quite clear that this is the effect upon

the prerogative of the Queen, the clause goes on to say—

"Except as provided in this section, this Constitution shall not impair any right which the Queen may be pleased to exercise by virtue of Her Royal prerogative to grant special leave of appeal from the High Court to Her Majesty in Council."

What is the consequence of that? The first observation I make is this—and I speak upon the authority of those more conversant with the matter than I can pretend to be—that these so-called constitutional questions arise much more frequently in Canada as between the Dominion Parliament and the Parliaments of the Provinces, or between the Parliaments of the Provinces themselves than between the Dominion Parliament and the Imperial Parliament. All those questions are now cut out of appeal.

*Lord JAMES of HEREFORD: Except by leave.

*Lord RUSSELL of KILLOWEN: Yes! but leave of the High Court, not of the Privy Council. I most heartily agree in the observation of my noble and learned friend near me (Lord Davey) that one would have thought that the very class of question as to the limits of constitutional power as between the Commonwealth and the States, or as between the States *inter se*, were eminently the class of cases which it was desirable from every point of view should be determined by a tribunal which stood aloof and apart from all questions of local interest and local prejudice. The third and last point to which I will call attention is this. While there is no appeal according to this clause from the High Court, except by leave of that Court, in the cases mentioned, there is an appeal from the decision of the State Court to the Queen in Council, and thereupon arises the conflict to which reference has been made—which Court is to prevail? I do not seek to dogmatise upon this matter, as to which there are obviously, from what my noble and learned friend has said, different opinions; but I fail to see anything in this Bill asserting directly or indirectly that where the decision of the Privy Council conflicts with the decision of the High Court the decision of the Privy Council is to prevail. I see nothing to that effect expressed certainly, and nothing I think to be implied. When I remind your Lordships that the clause expressly says that the High Court shall be the final judge in the matter unless it chooses to give leave, surely that does lay a solid and reasonable foundation for the contention that it is thereby, as regards matters so dealt with in the clause, created the final Court, and therefore co-ordinate with the other final Court—namely, the Privy Council. It seems to me that that is a difficulty which will very likely arise. The High Court may well say, "We are co-ordinate in this matter, for the Imperial Parliament has said to us, 'You are to deal with it finally, unless you see some reason why you should not allow it to go further.'" Let me put an illustration. The High Court has dealt with a question coming before it in favour of a particular litigant; a question of a cognate character has arisen in another State Court, and that goes to the Privy Council; the Privy Council takes a different view. I think it is very doubtful how effect is to be given to that view by the High Court or in Australia. But suppose that in the province the decision of the High Court has been acted upon, rights adjudicated upon, interests transferred under that decision, how is all that to be undone? It seems to me that the conflict is inevitable. I admit that in other cases, outside the classes of cases as to which the High Court has exclusive jurisdiction, I think there is ground for saying that the Privy Council is the paramount controlling Court; but in the case I have put I cannot help thinking that difficulty may arise. I will only trouble your Lordships with this concluding observation. As a Home Ruler, which I am—I may be allowed to profess it in these days when it is not so popular as it once was—as a Home Ruler I rejoice at this Bill; I am delighted to see that the fullest powers are given to Australia to work out its own destiny by its own methods, and I have no doubt that it will be able to work out that destiny and fulfil it in complete harmony with the great interests of the Empire.

*Viscount KNUTSFORD: I will not detain your Lordships for more than two minutes, but as I may not be able to be present at other stages of this Bill, I would like to say one word upon it, as one who has a genuine interest in the question, and who, whether in office or out

of office, has constantly urged upon Australian statesmen that they should endeavour to find a solution of these difficulties. The last speaker said that in some points of view this debate is not real; but I can assure him—and I am speaking for every noble Lord present now—that as to our satisfaction at this great question having been settled the debate is very real indeed. The difficulties in arriving at a solution of the many questions were very great—indeed, perhaps they have hardly been appreciated by those in this country who have not studied colonial questions. At one time there was, no doubt, an impatience of the delay, and a fear that the difficulties might not be overcome. In one sense it is a good thing, perhaps, that there has been that delay, because it is a good omen that this great Commonwealth has been established by law in a year in which the colonies have shown their sympathy with the mother country, and their loyalty to the Empire, and it is therefore not, perhaps, to be regretted that there has been some delay and some prolonged consideration of the question. Then, my Lords, the only other observation I would make is this. We all wish God-speed to the new Commonwealth, not only in their own interests but in the interests of the Empire; and if good sense and conciliatory spirit and toleration are shown in the management of the Commonwealth as they have been shown in getting over and solving the detailed difficulties in the course of the discussions in Australia and in this country, I am quite satisfied that there can be no doubt of the success of the Commonwealth. I for one most heartily desire that that success shall be complete.

*LORD BRASSEY: My Lords, if I venture to add two words it is because the last Convention, to whose labours we owe the Commonwealth Bill, was held in Melbourne, and I am reluctant to allow the opportunity to pass by of bearing to your Lordships the testimony of an eye-witness to the patriotic spirit, the ability, the patience, the mutual forbearance, and the entire absence of party spirit which marked all the proceedings of that Convention.

On Question, agreed to. Bill read 2ª accordingly, and committed to a Committee of the whole House on Tuesday next.

MINES (PROHIBITION OF CHILD LABOUR UNDERGROUND) BILL.

Amendments reported (according to Order).

LORD BELPER: My Lords, I have been asked by the Home Office to call attention to the fact that some drafting Amendments were put into this Bill by the Standing Committee. There was no opportunity then of considering these, but the Home Office have since considered them, and practically the points which they dealt with have been considered before, and the Home Office do not consider that these Amendments are necessary, although they probably will do no harm. I must point out that there are several errors in them which would have to be amended, and therefore, as I understand, the noble Earl in charge of the Bill would approve of them being left out. I shall beg to move that the last clause, Clause 3, which was put in in the Standing Committee, be omitted and also the schedule.

EARL GREY: I quite agree with the noble Lord.

Amendments made; Bill to be read 3ª on Monday next.

BURIAL GROUNDS BILL.

House in Committee (according to Order). Bill reported without amendment; and re-committed to the Standing Committee.

PREVENTION OF CORRUPTION BILL [H.L.].

VOLUNTEERS BILL [H.L.].

Amendments reported (according to Order), and Bills to be read 3ª on Monday next.

COLONIAL SOLICITORS BILL.

House in Committee (according to Order). Bill reported without amendment; Standing Committee negatived; and Bill to be read 3ª on Monday next.

MILITARY LANDS BILL [H.L.].

[THIRD READING.]

Bill read 3a (according to Order).

*LORD THRING: In moving the Amendment which stands in my name I

shall say but very few words, and I am conscious that they will probably be of very little effect. What I have done is this. I have put in a schedule the contents of eighteen lines of the Bill; in other words, I have fully explained in the schedule the whole of the clauses which are in fact embodied by reference in the Bill. I myself had great difficulty in discovering what the clauses were, and I admit that it was on the authority of one of the officials employed by the noble Lord who kindly aided me by his direction, that I believe that they are accurately described. I admit that I could not make out the elaborate clauses that were referred to. I also admit that what the Chairman of Committees said was correct, that a great many of these clauses ought to have been put in the Bill, but if I had put them in the Bill it would have required the Bill to be entirely recast, and I had no time to do it. What I have done is to endeavour to make what I think is extremely intricate plain, and I hope I have succeeded. With respect to the substance of the Bill, it is this. A county has a right to pass a resolution that it requires to hire land by compulsion. It is has passed this resolution, the resolution is sent to the Local Government Board; the Local Government Board, if no objection is made, may pass it into law—they may make an order, and it becomes law. If an objection is made, then they have to direct a local inquiry, and, according to that local inquiry, they may or may not pass it into law. Therefore, it must be obvious to your Lordships that the proceeding is somewhat drastic. I think it must be obvious that it ought to be plainly put out in the Bill what that procedure is. With respect to the principle of the Bill, I think it is extremely desirable that rifle ranges should be encouraged. I make no objection to the principle of the Bill, although it gives unusual powers, but what I still object to is that the nature of those powers should be concealed under a cloud of words which I, although I think I may claim to be somewhat of an authority in the matter of referential clauses, was perfectly unable to unfold.

Amendment moved—

"In Clause 3, page 2, line 5, to leave out from 'and the' to the end of the clause, and insert 'and for the purpose of carrying such resolution into effect the provisions contained in the schedule hereto shall apply as they were enacted in the body of this Act.'"—(*The Lord Thring.*)

*THE EARL OF PORTSMOUTH: It will, perhaps, save the time of your Lordships if I immediately follow my noble friend and explain my own position. I am not qualified to form any opinion as to whether the schedule which the noble Lord has introduced is a proper and correct interpretation of the law, but what I do want to call your Lordships' attention to is this, that under this Bill land can be compulsorily taken from any owner on the initiation of the county council and hired compulsorily for thirty-five years. Now, my Lord, as most of the land in the neighbourhood of London which is desirable for building purposes is high land, and naturally the land which is hired, great injustice might be done when the land is taken, and after such land had been taken such land became useful for building operations. Let us see what the effect of the Bill as it now stands would be. A council could compel an owner to lease his land for thirty-five years. That owner at the time might not be able to show in any definite and distinct way that such land could be used for building purposes. Who would have been able to foresee the enormous development of Woking, Guildford, and other towns near London, or, indeed, near any other large centres of population in the provinces? What I think would meet the exigencies of the case would be if your lordships are prepared to accept the principle of compulsory hiring—which I do not discuss now, but having accepted that, then provide that such an owner should have the power in the same way as is given under the Act of 1894, which is referred to in this Act, to resume possession of his land where such land came in for building purposes. The owner has now that power where such land can be used for mining purposes. It must also be borne in mind that such resumption would not be arbitrarily or vexatiously undertaken, because first, he would have to satisfy the Local Government Board, and secondly, he would have to pay such compensation as the Local Government Board might determine—first of all as the Council and he might agree, or failing agreement, as an arbitrator might direct. All it seems to me that I am asking for—and I am sure it is a point that is of the

greatest importance—is that an owner should not have his land taken away from him and perhaps the value of his property enormously deteriorated by being unable to part with his land for thirty-five years without any power to resume it again under totally different circumstances.

LORD THRING: I ought to have explained to your Lordships that there were two exceptions that had been added to this clause; first, that a person injuriously affected as well as the person interested in the land should be able to appear; and, secondly, there is a clause that the landlord might resume the land if he wanted it for building purposes in the same way as he might under the incorporated clause resume it for mining.

*THE SECRETARY OF STATE FOR WAR (The Marquess of LANSDOWNE): I regret the trouble to which the House and my noble friend have been put owing to this clause. I can assure him that far from desiring to offer obstinate resistance to his proposal I should have been very glad indeed to meet him and to accept his schedule if I could have been convinced that that schedule correctly represented the law as it stands without any material alteration of language. But, my Lords, I have only to-day received from the Local Government Board, which Department I need not say is largely concerned in the administration of these Acts, a memorandum which I will not attempt to read to the House, but which goes to show that the schedule of the noble Lord is not one which could be safely added to the Bill. The Department has sent me a proof of the noble Lord's schedule annotated in blue ink with the Amendments which would be necessary in order to effect the minimum of alteration to bring it into conformity with established practice, and those Amendments are extremely numerous. The memorandum goes on to say that the schedule contains a number of passages which import a wider meaning than the words of the existing law have been given; the omissions are enumerated; the fourteenth section is described as being certainly an incomplete version of Section 1 of the incorporated Act, and in conclusion I am advised that the schedule cannot at present be regarded as a workable substitute for Clause 3 of the Bill. My Lords, I am afraid that in the face of that strong expression of expert opinion I cannot possibly accept the schedule of my noble friend, but I cannot help thinking that my noble friend, and perhaps some other Members of the House, have altogether over-estimated the danger to which owners of land will be exposed under the provisions of this Bill. It is not the case that the passing of this Bill will enable persons to come forward in the guise of those free selectors of whom we heard earlier in the evening to place rifle ranges in the middle of a private estate. The noble Earl told the House that this Bill would put it absolutely into the hands of County Councils to deal with this question.

*THE EARL OF PORTSMOUTH: What I said was that the County Council could hire land compulsorily from the landlord, and he would have no power to resume for building purposes such as he would have now in the case of minerals.

*THE MARQUESS OF LANSDOWNE: Quite so, but the matter does not rest, as the noble Earl supposes, with the County Council. This is what happens. The parish council has to move first. The parish council has first to try to hire by agreement. If the parish council fails to hire by agreement it may represent the case to the County Council, then the County Council go to the Standing Committee for allotments, and after that a public inquiry is held in the parish.

LORD THRING: May I interrupt the noble Marquess? The parish council have nothing on earth to do with it.

*THE MARQUESS OF LANSDOWNE: I am reciting the procedure followed in the case of the compulsory hiring of allotments.

LORD THRING: I was misled in exactly the same way, but I can assure the noble Marquess that under the Bill the parish council has nothing on earth to do with the matter.

*THE EARL OF PORTSMOUTH: The County Council certainly has.

LORD THRING: Yes, but not the parish council; that is one of the very traps that I myself fell into.

THE MARQUESS OF LANSDOWNE: Let us begin then with the County Council. The County Council holds a public inquiry; then there is an opportunity to any person interested to memorialise. The Order is deposited with the Local Government Board, and if a memorial has been presented and not withdrawn, then the Local Government Board in its turn proceeds to hold a local inquiry, after which the Order may be confirmed. So that really the rights of the private owner are hedged in by a whole series of inquiries, inquiries which must take considerable time, during which any person aggrieved will have ample opportunity of stating his grievances. I cannot, I am afraid, after the warning I have received, accept this Amendment, but the Bill of course has to pass through the other House of Parliament, and I have no doubt that before it becomes law the point which my noble friend has raised will be considered and properly discussed.

THE CHAIRMAN OF COMMITTEES (The Earl of MORLEY): I am not surprised to hear that my noble friend behind me (the Marquess of Lansdowne) after the report he has received from the Local Government Board feels himself unable to accept the Amendment of the noble Lord opposite. I somewhat regret it, because, even if it did not actually follow the present procedure with regard to allotments, I should have preferred to see some procedure laid down in the Bill which would make it clear to everyone what was intended. In this case the parish council has nothing whatever to do with the matter at all. It is the council of the borough or the council of the county. They make their own inquiries, and as the noble Lord said there is an appeal to the Local Government Board, but only one appeal. The question of compulsory hiring is an entirely new principle, except with regard to allotments, and compulsory hiring for a rifle range is a very different thing to hiring a few acres for an allotment. It extends over a much larger area, and, therefore, I think it should be carefully guarded. The question of injuriously affecting is one that ought to be carefully considered in allowing this compulsory hiring for rifle ranges. Then with regard to what my noble friend the Earl of Portsmouth said as to the land possibly becoming available for building purposes, I think that also requires some consideration. The point is not whether building is going on at the present time; it is whether in the course of the thirty-five years land which was when the hiring commenced possibly waste land, becomes within that time a large building area. Such a contingency is quite possible, and I think there should be some provision, with careful restrictions, to enable the land to be resumed if it is required for building, in the same way that it can be resumed now if minerals are under it. I venture to call the noble Marquess's attention to those two questions, which I think are deserving of his consideration.

On Question, whether to agree to the said Amendment, their Lordships divided:—Contents, 2; Not-Contents, 11.

CONTENTS.

Portsmouth, E. [*Teller.*]	Thring, L. [*Teller.*]

NOT-CONTENTS.

Halsbury, E. (*L. Chancellor.*)	Waldegrave, E. [*Teller.*]	James, L.
Devonshire, D. (*L. President.*)	Frankfort de Montmorency, V.	Lawrence, L.
Abercorn, M. (*D. Abercorn.*)	Churchill, L. [*Teller.*]	Sudley, L. (*E. Arran.*)
Lansdowne, M.	Heneage, L.	

It appearing that thirty Lords were not present, the Lord Chancellor declared the question not decided. Further debate on the said Amendment adjourned to Monday next.

TOWN COUNCILS (SCOTLAND) BILL.

Brought from the Commons; read 1a; and to be printed. [No. 145.]

House adjourned at ten minutes before Eight of the clock to Monday next, a quarter before Eleven of the clock.

HOUSE OF COMMONS.

Friday, 29th June, 1900.

PRIVATE BILL BUSINESS.

PROVISIONAL ORDER BILLS [Lords] (STANDING ORDERS APPLICABLE THERETO COMPLIED WITH).

Mr. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bill, originating in the Lords, and referred on the first Reading thereof, the Standing Orders which are applicable thereto have been complied with, viz. :—

Gas Orders Confirmation (No. 2) Bill [Lords].

Ordered, That the Bill be read a second time upon Monday next.

HOYLAKE AND WEST KIRBY IMPROVEMENT BILL.

WAKEFIELD CORPORATION MARKET BILL.

Lords Amendments considered, and agreed to.

BRAY URBAN DISTRICT COUNCIL BILL.

Read the third time, and passed.

NEATH HARBOUR BILL [Lords].

Queen's consent signified; read the third time, and passed, without amendment.

TAFF VALE RAILWAY BILL [Lords].

Read the third time, and passed, without amendment.

BRAY AND ENNISKERRY RAILWAY BILL.

As amended, considered.

Ordered, That Standing Orders 223 and 243 be suspended, and that the Bill be now read the third time.—(*Mr. Caldwell.*)

Bill accordingly read the third time, and passed.

LONDON COUNTY COUNCIL (MONEY) BILL.

As amended, considered.

Ordered, That Standing Orders 223 and 243 be suspended, and that the Bill be now read the third time.—(*Mr. Caldwell.*)

Bill accordingly read the third time, and passed.

TOTTENHAM URBAN DISTRICT COUNCIL BILL.

As amended, considered.

Ordered, that Standing Orders 223 and 243 be suspended, and that the Bill be now read the third time.—(*Mr. Caldwell.*)

Bill accordingly read the third time, and passed.

WIRRAL RAILWAY BILL [Lords].

As amended, considered; to be read the third time.

MARGATE CORPORATION BILL [Lords]. (BY ORDER.)

Read a second time, and committed.

ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 10) BILL.

Read the third time, and passed.

ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 9) BILL.

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 7) BILL.

As amended, considered; to be read the third time upon Monday next.

PERTH AND PAISLEY GAS PROVISIONAL ORDERS BILL.

Reported, without amendment [Provisional Orders confirmed]; Report to lie upon the Table.

Bill to be read the third time upon Monday next.

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 9) BILL.

Reported, without amendment [Provisional Orders confirmed]; Report to lie upon the Table.

Bill to be read the third time upon Monday next.

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 13) BILL.

Reported, without amendment [Provisional Orders confirmed]; Report to lie upon the Table.

Bill to be read the third time upon Monday next.

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 15) BILL.

Reported, with Amendments [Provisional Orders confirmed]; Report to lie upon the Table.

Bill, as amended, to be considered upon Monday next.

LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDERS (No. 3) BILL.

Reported, with Amendments [Provisional Orders confirmed]; Report to lie upon the Table.

Bill, as amended, to be considered upon Monday next.

LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDERS (No. 4) BILL.

Reported, with Amendments [Provisional Orders confirmed]; Report to lie upon the Table.

Bill, as amended, to be considered upon Monday next.

LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDERS (HOUSING OF WORKING CLASSES) (No. 2) BILL.

Reported, with Amendments [Provisional Orders confirmed]; Report to lie upon the Table.

Bill, as amended, to be considered upon Monday next.

EDUCATION BOARD PROVISIONAL ORDERS CONFIRMATION (BRIGHTON AND PRESTON UNITED DISTRICT, ETC.) BILL [Lords].

Reported, without amendment [Provisional Orders confirmed]; Report to lie upon the Table.

Bill to be read the third time upon Monday next.

NEWCASTLE-UPON-TYNE ELECTRIC SUPPLY BILL.

BURNLEY CORPORATION BILL [Lords].

GREAT SOUTHERN AND WESTERN RAILWAY BILL [Lords].

Reported, with Amendments; Reports to lie upon the Table, and to be printed.

GREAT INDIAN PENINSULA RAILWAY COMPANY BILL.

The CHAIRMAN OF WAYS AND MEANS, in pursuance of Standing Order 83 relating to Private Bills, informed the House that in his opinion the Great Indian Peninsula Railway Company Bill, though unopposed, ought to be treated as an opposed Private Bill.

MESSAGE FROM THE LORDS.

That they have agreed to—Local Government (Ireland) Provisional Orders (No. 2) Bill, changed to Local Government (Ireland) Provisional Order (No. 2) Bill; Local Government Provisional Orders (No. 2) Bill; Hamilton Burgh Bill, with Amendments.

That they have agreed to Amendments to—Mersey Docks and Harbour Board Bill [Lords]; Paignton Urban District Water Bill [Lords], without amendment.

That they have agreed to—Mountain Ash Water Bill [Lords], with Amendments.

That they have passed a Bill intituled, "An Act to confer further powers on the Caledonian Railway Company in relation to their undertaking, to authorise the Lochearnhead St. Fillans and Comrie Railway Company to construct certain works in connection with their railway, to extend the periods for the purchase of lands for or for the completion of works by the before-mentioned companies and the Callander and Oban Railway Company; and for other purposes." Caledonian Railway Bill [Lords].

Also a Bill intituled, "An Act to reduce the capital and extend the powers of the London and San Francisco Bank, Limited; and for other purposes." London and San Francisco Bank Bill [Lords].

And also a Bill intituled, "An Act for reorganising the capital of the G. H. Hammond Company, Limited, and enabling that company to redeem and convert its debentures and income stock." Hammond (G. H.) Company Bill [Lords].

CALEDONIAN RAILWAY BILL [Lords]

LONDON AND SAN FRANCISCO BANK BILL [Lords].

HAMMOND (G. H.) COMPANY BILL [Lords].

Read the first time; and referred to the Examiners of Petitions for Private Bills.

PETITIONS.

EDUCATION (SCOTLAND) BILL.

Petition from Dunbar, against; to lie upon the Table.

Petition of the General Assembly of the Church of Scotland, in favour; to lie upon the Table.

LAND VALUES TAXATION (SCOTLAND) BILL.

Petition from Glasgow, in favour; to lie upon the Table.

LUNACY BILL.

Petition from Tadcaster, for alteration; to lie upon the Table.

SALE OF INTOXICATING LIQUORS ON SUNDAY BILL.

Petitions in favour, from Whaplode St. Catherine's; Ringwood; Romsey; Gringley; Beckingham; and Walkeringham; to lie upon the Table.

SALE OF INTOXICATING LIQUORS TO CHILDREN (No. 2) BILL.

Petition from Retford, against; to lie upon the Table.

Petitions in favour, from Chellaston; Weardale; Golborne (two); Lowton; Worksop; Whaplode St. Catherine's; Otley; Caxton; Blean; Wheatley; Beckingham; Fochriw; Ealing; Hamilton; St. Neots; Lymington (two); Romsey (two); Gringley; Ringwood; Daventry; Walkeringham; Liverpool; Blisworth; Tiffield; Wigan; Malton; Craster; Tadcaster; Frome; and Dunnington; to lie upon the Table.

SALE OF INTOXICATING LIQUORS TO CHILDREN (No. 2) BILL AND SUNDAY CLOSING (MONMOUTHSHIRE) BILL.

Petition from Birmingham, in favour; to lie upon the Table.

SALE OF INTOXICATING LIQUORS TO CHILDREN (SCOTLAND) BILL.

Petitions in favour, from West Calder; Glenbucket; and Torthorwald; to lie upon the Table.

SUNDAY CLOSING (MONMOUTHSHIRE) BILL.

Petitions in favour, from Lowton; Golborne (two); Wimborne; Whaplode St. Catherine's; Thrupp; Sturton; Kingston-upon-Hull; Daventry; Blisworth; Eccleshill (two); Gelligaer; Ealing; Hamilton; Ringwood; Tiffield; Wigan (two); Brynmawr; Romsey; Motherwell; Dunnington; Clifton; Craster; Leeds; and Stockport; to lie upon the Table.

SUNDAY CLOSING (WALES) ACT (1881) AMENDMENT BILL.

Petition from Gelligaer, in favour; to lie upon the Table.

RETURNS, REPORTS, ETC.

FINANCE ACCOUNTS.

Copy presented, of Finance Accounts of the United Kingdom for the year ended 31st March, 1900 [by Act]; to lie upon the Table, and to be printed. [No. 241.]

LIGHT RAILWAYS ACT, 1896.

Copy presented, of Order made by the Light Railway Commissioners, and modified and confirmed by the Board of Trade, authorising the construction of a Light Railway in the county of Sussex from Bexhill to St. Leonards (Bexhill and St. Leonards Light Railway Order, 1900) [by Command]; to lie upon the Table.

Copy presented, of Order made by the Light Railway Commissioners, and confirmed by the Board of Trade, authorising the construction of a Light Railway in the county of Gloucester (Cheltenham and District Light Railway (Extension) Order, 1900) [by Command]; to lie upon the Table.

Copy presented, of Order made by the Light Railway Commissioners, and confirmed by the Board of Trade, authorising the construction of a Light Railway in the county of East Sussex, from Robertsbridge to Pevensey (Robertsbridge and Pevensey Light Railway Order, 1900) [by Command]; to lie upon the Table.

Copy presented, of Order made by the Light Railway Commissioners, and

modified and confirmed by the Board of Trade, authorising the construction of a Light Railway in the county of Gloucester, from Cheltenham to Cleeve Hill (Cheltenham and District Light Railway Order, 1900) [by Command]; to lie upon the Table.

WOODS, FORESTS, AND LAND REVENUES.

Copy presented, of Seventy-eighth Report of the Commissioners, dated 29th June, 1900 [by Act]; to lie upon the Table, and to be printed. [No. 242.]

ISLE OF MAN.

Account presented, of Revenue and Expenditure for the year ended 31st March, 1900, with the Report of the Comptroller and Auditor General thereon [by Act]; to lie upon the Table, and to be printed. [No. 243.]

PAPER LAID UPON THE TABLE BY THE CLERK OF THE HOUSE.

Medway Conservancy.—Copy of Statement of Receipts and Expenditure of the Conservators for the year ending 25th March, 1900 [by Act].

EAST INDIA (INOCULATION AGAINST CHOLERA AND TYPHOID).

Address for "Return of Correspondence relating to preventive inoculation against Cholera and Typhoid in India."—(*Sir Charles Cameron.*)

PROSECUTION OF OFFENCES ACTS, 1879 AND 1884.

Address for "Return showing the working of the Regulations made in 1886 for carrying out the Prosecution of Offences Acts, 1879 and 1884, with Statistics setting forth the number, nature, cost, and results of the Proceedings instituted by the Director in accordance with those Regulations from the 1st day of January, 1899, to the 31st day of December, 1899 (in continuation of Parliamentary Paper, No. 238, of Session 1899)."—(*Mr. Jesse Collings.*)

QUESTIONS.

CHINA—ANTI-FOREIGN OUTBREAK—RECENT OPERATIONS.

MR. GIBSON BOWLES (Lynn Regis): May I ask whether the Government have received any news from China.

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Mr. BRODRICK, Surrey, Guildford): Her Majesty's Consul at Tientsin telegraphs that the British losses in Admiral Seymour's force which arrived 26th June, together with relief force, were as follows—

"Captain Beyts, R.M.A., killed, seven officers wounded, twenty-four men killed, ninety-one wounded. Returns from foreign detachments not yet completed, but total is stated to be sixty-two killed, 212 wounded."

Various reports have reached the Government as to the positions of the Legations, but the most recent one points to their being still in Peking.

SOUTH AFRICAN WAR—RESUMPTION OF INDUSTRIAL OPERATIONS IN THE TRANSVAAL.

MR. SWIFT MACNEILL (Donegal, S.): I beg to ask the Secretary of State for the Colonies whether his attention has been directed to the telegram, dated 8th June, to the Colonial Office from Sir Alfred Milner, in which it is stated that the Chamber of Mines, whose headquarters is at Cape Town, has agreed upon 580 representatives of leading mining and other companies, who will proceed to Johannesburg as soon as Lord Roberts can receive them, and that as many banking and other commercial representatives as possible will accompany them; will he say if a representative of the African Bank will be among them, specially privileged to enter Johannesburg; and, on what ground special facilities will be afforded to the representatives of the capitalist bodies of returning to Johannesburg, while British mining operatives have been warned that they cannot return to Johannesburg for a considerable time, and that they will be detained in their journey from England to the Transvaal at South African ports.

THE SECRETARY OF STATE FOR THE COLONIES (Mr. J. CHAMBERLAIN, Birmingham, W.): (1) The substance of the telegram was communicated to the newspapers by my instructions. (2) I do not know. (3) The answer to the last paragraph of the question is contained in the telegram from Sir A. Milner to which the hon. Member refers. It is clearly inexpedient to allow large numbers of persons seeking employment to return to Johannesburg until military demands upon transport and supply become less urgent,

and until the representatives of the great industries, such as managers, engineers, etc., have made the arrangements necessary before the industries of the place can be re-established.

MR. SWIFT MACNEILL: Will the right hon. Gentleman instruct Sir A. Milner to take care that the places once occupied by whites are not filled by blacks?

MR. J. CHAMBERLAIN: I do not think any such instructions are necessary.

HOSPITAL AND MEDICAL ARRANGEMENTS.

*MR. FABER (York): I beg to ask the Under Secretary of State for War whether, in view of the fact that since the commencement of the war in South Africa 127 officers and 4,260 men have died of disease there, and 844 officers and 17,666 men have been invalided home from causes other than wounds, he will state what steps have been taken to provide for the stationary and field hospitals being properly equipped with medical officers and attendants and appliances for dealing with cases of disease, and on whom the duty of providing for the equipment of such hospitals primarily rests, and who are responsible for their organisation; and whether he can state approximately how many officers and men are now ill in hospital in South Africa from causes other than wounds.

The following questions also appeared on the Paper:—

COLONEL PILKINGTON (Southport): To ask the Under Secretary of State for War whether his attention has been called to the reports of the insanitary condition of the military hospitals at the seat of war owing to the want of accommodation, overcrowding, and the lack of proper medical comforts, and to the fact that the hospital nurses on the spot are unable to carry out their duties owing to the want of orderlies to render them efficient aid; and whether it is possible to do more than is being done at the present moment to limit contagion and render the possibility of the recovery of wounded and sick soldiers more probable.

SIR HOWARD VINCENT (Sheffield, Central): To ask the Under Secretary of State for War if he will state how many military surgeons and how many civil surgeons have been employed in the campaign in South Africa, and how many male attendants and how many female nurses have been employed in the several hospitals of the Royal Army Medical Department, and how many doctors, attendants, and nurses in the hospitals on land and water provided by private munificence, and how many beds were available on 1st June for the forces under Field Marshal Lord Roberts in Cape Colony and Natal; and can he give any information to the House as to the supply of medical comforts to South Africa on the outbreak of the war and during its course.

*THE UNDER SECRETARY OF STATE FOR WAR (MR. WYNDHAM, Dover): The debate this afternoon will be the proper occasion for a full discussion of the various questions raised, but I may say in general that for each increase of the force in South Africa a proportionate increase of medical staff and medical stores has been made. There are now in South Africa, according to our latest information, 466 Army medical officers and 440 civilian surgeons, 566 female nurses, and 5,668 male nurses and orderlies. These do not include doctors and nurses engaged in South Africa. The supply of beds was, on the 19th instant, 5,000 in Natal and 13,600 in Cape Colony and other parts; total, 18,600 beds in South Africa.

SIR HOWARD VINCENT: Do these figures include the doctors and nurses of purely private hospitals?

*MR. WYNDHAM: Yes, they include everything in the shape of local hospitals, nurses, and doctors.

MR. FABER: And what about the last paragraph of my question?

*MR. WYNDHAM: I think it will be more convenient to deal with that in the course of the debate.

SIR WALTER FOSTER'S SUGGESTION FOR A SANITARY COMMISSION.

SIR HENRY FOWLER (Wolverhampton, E.): I beg to ask the Under Secretary of State for War whether, in October last, he received a letter from

the hon. Member for Ilkeston pointing out that in all probability great loss of life from fever and other maladies more or less preventible by careful sanitary work was likely to occur in the South African campaign, and suggesting the appointment of a small sanitary commission, or a commissioner and assistants, to proceed to South Africa to assist the Army medical officers in preventing the dangers referred to; whether the hon. Member offered to place his services and his experience as a physician and as secretary of the Local Government Board during the last invasion of cholera at the disposal of the War Office in an unpaid capacity; and whether the suggestion and offer were declined by the Secretary of State on the ground that the need of special assistance was not the same in sanitary matters as in surgical operations.

*Mr. WYNDHAM: Yes, Sir. The facts are as stated. Army surgeons are not in constant practice as operators; and therefore the Secretary of State was very glad to avail himself of the patriotic offers made by Sir W. MacCormac, Mr. Treves, and other specially skilled surgeons. But Army medical officers have special training in sanitation of camps and the management of diseases incidental to field service, and abundant opportunities of obtaining experience in these matters. It did not, therefore, appear that there was any occasion for the appointment of such a sanitary commission as the hon. Member suggested.

ARMY MEDICAL DEPARTMENT—REORGANISATION COMMITTEE'S REPORT.

*Sir CHARLES DILKE (Gloucestershire, Forest of Dean): I beg to ask the Under Secretary of State for War whether the Report of the Departmental Committee, which was sitting in 1898, on the Reorganisation of the Army Medical Department was presented to Parliament; and, if not, whether the portion of it which bears on organisation for war can now be laid before Parliament.

*Mr. WYNDHAM: The Committee to which the right hon. Baronet refers only considered the titles to be given to the corps and to the officers, and the command to be exercised by the officers. No question of organisation came before it.

UNWOUNDED SOLDIERS DEAD OR INVALIDED HOME.

Mr. BAYLEY (Derbyshire, Chesterfield): I beg to ask the Under Secretary of State for War when the Return asked for on 28th May and granted by the Government, of the number of officers and men who since the commencement of the present war have died or been invalided home from causes other than wounds received in action, will be laid upon the Table of the House.

*Mr. WYNDHAM: Full information on these matters has only just reached the War Office. The Return is now being compiled, and it is hoped will shortly be presented.

PROVISION FOR INVALIDED SOLDIERS—APPEALS TO CHARITY IN KERRY.

Mr. FLAVIN (Kerry, N.): I beg to ask the Financial Secretary to the War Office whether he is aware that a public appeal has been made in the press by Colonel Johnston, commanding 101st regimental district, at Tralee, county Kerry, asking for assistance for soldiers now living in different portions of Kerry who were invalided home after being wounded in the South African war; whether this appeal was made owing to the fact that in many cases the invalided soldiers received no pension, and in other cases the pension granted is insufficient to keep the men out of the workhouse; and whether the Government will take such steps as may be necessary to prevent those South African soldiers from becoming a burden on the ratepayers of Kerry.

*Mr. WYNDHAM: All cases of discharge on account of disability are submitted to the commissioners of Chelsea Hospital for the award of pensions. Every soldier whose disability is due to service is entitled to a pension varying in the case of privates from 6d. to 2s. 6d. a day, according to the nature of the disability. The Government has no reason to suppose that the ratepayers of Kerry will be burdened in the manner suggested.

Mr. FLAVIN: Will the hon. Gentleman answer the question as to the truth of the statement that Colonel Johnston has made a public appeal for assistance of this sort?

*MR. WYNDHAM: We know nothing about it.

MR. FLAVIN: But did he make the appeal?

*MR. SPEAKER: Order, order! The hon. Gentleman says he knows nothing about it.

RELEASED BRITISH TROOPS.

MR. SWIFT MACNEILL: I beg to ask the Under Secretary of State for War if he can say when will the roll of the non-commissioned officers and men who have been released from imprisonment as prisoners of war in South Africa be published, and why have the names of the men been so long withheld from publication.

*MR. WYNDHAM: The names of the non-commissioned officers and men, prisoners of war, who were released at Pretoria have not yet been forwarded. Lord Roberts has been requested to supply the information.

ROODEVAAL ENGAGEMENT, 7TH JUNE —CAPTURE OF THE DERBYSHIRES.

MR. SWIFT MACNEILL: I beg to ask the Under Secretary of State for War whether the War Office authorities have any and, if so, what explanation to offer of the fact that the news of the defeat and capture of the 4th battalion of the Derbyshire Regiment at Roodevaal on the 7th June was known in Derby on the evening of Sunday, 10th June, but was not known in London till the evening of 11th June.

*MR. WYNDHAM: No, Sir. Rumours are frequently current in advance of an official telegram, and this seems to have been a case of the kind.

MR. SWIFT MACNEILL: Is it not the fact that the news was known in Derby on Sunday, and at the Stock Exchange on Monday before the War Office published it?

*MR. WYNDHAM: The information reached the War Office late on Sunday, but we had to verify certain matters before we published it.

MR. SWIFT MACNEILL: But——

*MR. SPEAKER: Order, order! I must remind the hon. Member that he asked for an explanation and the hon. Gentleman replied that he had none. That is an answer to the question.

MR. SWIFT MACNEILL: And a most unsatisfactory one, Sir.

PAY OF COLONIAL TROOPS.

MR. WILLIAM REDMOND (Clare, E.): I beg to ask the Under Secretary of State for War how many Colonial troops in South Africa are having as much as 5s. a day in pay and allowances, and why a difference is made in the rate of pay between British and Colonial troops.

*MR. WYNDHAM: The number is about 22,000. The question was fully discussed on the 1st of February in debate.†

MR. WILLIAM REDMOND: Cannot the hon. Gentleman give me an answer to the question on the Paper?

*MR. WYNDHAM: I have said the question was fully discussed in Committee of Supply, and it is impossible to reduce the discussion to the limits of an answer to a question.

THE 4TH SURREY REGIMENT.

MAJOR RASCH (Essex, S.E.): I beg to ask the Under Secretary of State for War whether he will explain why, after the 4th Surrey Regiment volunteered for the front on 16th February, and was ordered to embark on 23rd February, and after 200 men not yet embodied had joined, officers had provided themselves with field equipment, and the service clothing of the battalion had been issued, an order was received on 22nd February cancelling the embarkation; and why this expense was incurred.

*MR. WYNDHAM: The expense of preparing the battalion for field service was incurred because the battalion was put under orders. These orders were cancelled because two serious cases occurred indicating a want of discipline in the battalion, and the Commander-in-Chief did not consider it advisable to allow the battalion to proceed on service.

† See *The Parliamentary Debates* [Fourth Series], Vol. lxxviii., commencing at page 339.

VOLUNTEER CORPS—TRAINING AND OUTFIT ALLOWANCES.

MR. COLSTON (Gloucestershire, Thornbury): I beg to ask the Financial Secretary to the War Office whether he will grant the allowance in aid of outfit, of an amount not exceeding £100, to those Departmental officers who voluntarily placed their services at their country's disposal during the great pressure of the South African War, but who, being Volunteers, are not entitled to claim the allowance. I beg also to ask the Financial Secretary to the War Office whether he can now redeem the undertaking given by him to the effect that the Secretary of State for War was prepared to consider any special cases in which it could be shown that Volunteer corps had been put to expense in connection with the billeting and messing of their service companies during their period of training; and, whether, as the Wiltshire Volunteer Service Company was involved in a special expenditure of £502 owing to no barrack accommodation being provided for them, that sum can now be refunded from public sources.

*MR. WYNDHAM: I hope to be able to answer both these questions shortly.

REORGANISATION OF THE MILITARY FORCES OF THE EMPIRE.

MR. DRAGE (Derby): I beg to ask the Under Secretary of State for War whether any attempt has been made to ascertain the views of the Colonial and Indian Governments on the reorganisation of the military force of the Empire; and whether the Government will consider the desirability of adding to the Committee of the Council of Defence representatives of the great self-governing colonies and of India.

*MR. WYNDHAM: This is hardly a question to be answered by the War Office. It is rather one of policy, which should be addressed to the Leader of the House.

NETLEY HOSPITAL—COCOA FOR PATIENTS.

MAJOR RASCH: I beg to ask the Financial Secretary to the War Office whether officers of the Royal Army Medical Corps are not allowed to prescribe cocoa for patients at Netley Hospital, and whether they are surcharged if they order it without the sanction of the War Office.

*MR. WYNDHAM: Cocoa is not supplied for ordinary diets, but it can be ordered as an extra by any medical officer who considers it advisable without any surcharge.

ARMY HEAD-DRESS.

MR. SWIFT MACNEILL: I beg to ask the Under Secretary of State for War whether the attention of the War Office authorities has been directed to the order issued by the general officer commanding at Salisbury Plain, in which officers commanding battalions whose men have caps only are recommended to make arrangements for the supply of cap covers or cheap white or khaki caps which should be paid for out of the institute funds; and whether, having regard to the fact that the regimental institute funds practically belong to the soldiers and should be expended entirely for their benefit, it will be provided that the ultimate cost of procuring suitable equipments for the troops should not fall upon the institute funds.

*MR. WYNDHAM: Such orders are not approved. The order in question has been cancelled.

ALDERSHOT MANŒUVRES—HEAT CASUALTIES.

MR. SWIFT MACNEILL: I beg to ask the Under Secretary of State for War whether all the men on parade at Aldershot on the Field Day on 11th June, when twenty-eight men, of whom four died, were severely affected, and twenty-nine men were slightly affected, by the heat of the sun, had breakfasted before they came on parade, and were the casualties on this occasion confined to non-commissioned officers and men; can he state if the breakfast consisted of tea and of dry bread, or were there any, and, if so, what additions; and how many ounces of bread were allowed for each man for breakfast on that day; and will he say, out of the 18,002 men on parade at Aldershot on 11th June, how many were left without food from their departure from barracks till their return to barracks or to hospital on that day; and whether the attention of the War Office authorities has been directed to the strictures made by the

coroner at the inquest on the body of one of the soldiers who lost his life in those operations with reference to sending out men on a scanty breakfast, which he termed almost brutal, and the rider to the verdict, that the men should have had a substantial breakfast; and have the War Office authorities any, and, if so, what explanation to make for a course of conduct calculated to endanger the health and lives of the troops.

*MR. WYNDHAM: The hon. Member was absent when these matters were fully discussed.† All the men had breakfast before starting. The casualties were not confined to the men, as two officers fell out. The breakfast would include additions, which vary in different regiments. The daily free issue of bread is one pound, and this is seldom consumed, but more can be obtained if required. In the case of two battalions the men were without food from the time they left barracks until they returned. The food was despatched from barracks, but failed to reach the troops.

MR. SWIFT MACNEILL: Is the hon. Gentleman aware it was sworn at the inquest that one man had nothing but dry bread?

*MR. WYNDHAM: There were two battalions that had no food. I can assure the hon. Member the whole matter is being fully gone into.

MILITIA OFFICERS' PENSIONS.

MR. YOUNGER (Lincolnshire, Stamford): I beg to ask the Under Secretary of State for War, having regard to the fact that there are a certain number of officers of Militia of the rank of major and upwards who are now serving during the period of embodiment of their regiments, who are entitled to retired pay, and who are past the age of compulsory service in the Reserve, and that those officers are subjected to a deduction from their pay equal to their pension, whether, as their pension is for past service, and as they are not liable through having passed the limit of age to be called upon to serve, he will take steps to remove what is felt to be a hardship to officers who are now holding responsible positions in regiments of Militia which are at present embodied.

*MR. WYNDHAM: All Militia officers are under a compulsory liability to serve on embodiment. The Secretary of State is not prepared to alter the rule that no officer may draw full pay and retired pay at the same time.

MR. YOUNGER: But is there any reason why these Militia officers should be on a different footing to other Army officers serving with the Militia? Is it not provided under an Army order dated April this year that they shall draw their pensions without any deductions?

*MR. WYNDHAM: I do not think the hon. Member quite appreciates the fact that an officer in the Militia has accepted service with the Militia whenever embodied, and therefore he is obviously on an entirely different footing.

LONDON TELEGRAPHIST VOLUNTEERS—CAMP LEAVE.

CAPTAIN NORTON (Newington W.): I beg to ask the Secretary to the Treasury, as representing the Postmaster General, whether, in view of the Government appeal to private employers to give facilities to their workmen for attending Volunteer camps, the Postmaster General will consider the advisability and policy of setting an example in this particular by now giving to the telegraphists of the Central Office, London, who are Volunteers, permission to attend the Aldershot camp for training purposes, which has hitherto been refused.

THE FINANCIAL SECRETARY TO THE TREASURY (Mr. HANBURY, Preston): Every effort will be made to release as many Volunteers as possible for the purpose of attending camp. But the months of July and August are the periods of the greatest pressure in the Central Telegraph Office, which has already lost a large number of men by reason of the war in South Africa; and it is, of course, a matter of the first importance to prevent any possibility of a breakdown in the telegraph service.

NAVY — WATER-TUBE BOILERS — BREAKDOWN OF THE T.B.D. "SKATE."

MR. GIBSON BOWLES: I beg to ask the First Lord of the Admiralty,

† See *The Parliamentary Debates* [Fourth Series], Vol. lxxxiv., pages 143 and 282.

can he give the House any information as to the breakdown of the torpedo boat destroyer "Skate," which left Plymouth on 7th May for Gibraltar, under convoy of Her Majesty's ship "Minerva"; did the "Skate's" foremost boiler give out soon after the vessels had entered the Bay of Biscay; did her other three boilers break down shortly afterwards; and was she thus so completely crippled that it was found necessary for the "Minerva" to take her in tow; did the towing hawser part a few hours afterwards; was the "Skate" lost sight of owing to the darkness of the night, and the heavy sea; and did she remain, in her helpless state, shipping heavy seas and in danger of foundering, from 10 p.m on the 9th May, till 8 a.m. on the 10th May, when she was again discovered and taken in tow by the "Minerva"; and has the "Skate" suffered so much that it has been found, on her arrival at Gibraltar, impossible to send her to sea again until she has been provided with new boilers; and were her boilers water-tube boilers, and, if so, of what type.

THE FIRST LORD OF THE ADMIRALTY (Mr. GOSCHEN, St. George's, Hanover Square): The "Skate" left Plymouth with the "Minerva" on May 8th, and was taken in tow by that ship on the 9th, because the engines had to be stopped owing to the rolling of the vessel bringing the circulating inlets out of the water. She was either cast off or the hawser carried away some time during the evening, and the "Minerva" remained by her during the night and took her in tow again the next morning. She was again cast off at 4 p.m., and proceeded to Vigo under her own steam. After leaving Vigo her boilers were damaged, and the "Minerva" towed her to Gibraltar. Three of her boilers will have to be re-tubed. I have not yet got complete information from Gibraltar. She has small tube water-tube boilers of the Blechynden type.

MR. WOLFF (Belfast, E.): Were these the Belleville boilers?

MR. GOSCHEN: No, they were not Belleville boilers, but small tube water boilers of a totally different kind.

MR. GIBSON BOWLES: Will the right hon. Gentleman publish any further information on the subject?

MR. GOSCHEN: Yes, Sir, when I receive it.

CIUDAD BOLIVAR—MURDER OF MR. JAMES LYELL.

MR. PIKE PEASE (Darlington): I beg to ask the Under Secretary of State for Foreign Affairs if he has received the Report in reference to the murder of Mr. James Lyell, at Ciudad Bolivar, and can he state whether the murderer has been executed.

MR. BRODRICK: The investigation into the circumstances connected with the murder of Mr. Lyell is still proceeding, and is being watched by Her Majesty's Consul at Ciudad Bolivar. In a telegram recently received Her Majesty's Chargé d'Affaires at Caracas reports that he has strongly urged the Venezuelan Government to accelerate proceedings in the case.

MR. PIKE PEASE: Is the right hon. Gentleman aware that this murder took place as far back as February last? Is it not time for the Government to press for the execution of the murderer?

[No answer was given.]

EGYPT—DURATION OF BRITISH OCCUPATION.

MR. WILLIAM REDMOND: I beg to ask the Under Secretary of State for Foreign Affairs whether it is intended that the occupation of Egypt shall be permanent, and if it is not so intended, whether Her Majesty's Government can now state at what date the occupation is likely to cease.

MR. BRODRICK: Her Majesty's Government have nothing at present to add to the declarations which have been publicly made by them and by their predecessors in regard to the policy of this country in Egypt.

MR. WILLIAM REDMOND: Is the Khedive visiting this country because he wants us to clear out of his country?

UGANDA—COMPENSATION TO FRENCH CATHOLICS.

MR. HEDDERWICK (Wick Burghs): I beg to ask the Under Secretary of State for Foreign Affairs whether the sum of £10,000, voted in March, 1899, by the

House of Commons, after negotiations with the French Government, in compensation of claims on the part of certain Roman Catholics in Uganda in respect of injuries alleged to have been done to their clothing and property by British forces, was paid over to the French Government or to Cardinal Vaughan.

MR. BRODRICK: The sum in question was paid to the injured parties through Cardinal Vaughan.

ASHANTI—SUGGESTED RESTORATION OF KING PREMPEH.

MR. WILLIAM REDMOND: I beg to ask the Secretary of State for the Colonies whether he can say what has become of King Prempeh; and whether, in view of the condition of affairs in Ashanti, the Government will consider the advisability of restoring the King that he may use his influence for the pacification of his people.

MR. J. CHAMBERLAIN: Prempeh is at present in Sierra Leone. The question of his being restored to Ashanti cannot be entertained.

ASHANTI—NATIVE RISING—INVESTMENT OF COOMASSIE.

SIR E. ASHMEAD-BARTLETT (Sheffield, Ecclesall): I beg to ask the Secretary of State for the Colonies whether he can give the House any information as to the relief of Coomassie.

MR. J. CHAMBERLAIN: No news has been received since that which was published in the newspapers yesterday morning.

HARBOUR DOCK AND PIER SCHEMES—EXEMPTION OF GOVERNMENT DEPARTMENTS FROM DOCK RATES.

SIR WILLIAM HOULDSWORTH (Manchester, N.W.): I beg to ask the Secretary to the Treasury, will he explain under what authority the Treasury are now requiring the promoters of private Bills for the construction or extension of harbours, docks, and piers to insert in such Bills clauses extending the provisions of Section 28 of the General Act, 10 and 11 Vic., cap. 27, to other Government Departments than those specially exempted by that section from the payment of dock rates or duties; and to what Government Departments or Government services such power is held to extend.

MR. HANBURY: The Treasury represents to Parliament on behalf of the executive Government the desirability of inserting these clauses, and Parliament has constantly seen fit to insert them. In 1899, for example, they appeared in thirteen Acts and six Provisional Orders under the Board of Trade, and this year six Acts containing them have already received the Royal Assent. They will apply to all Government Departments.

NORTH DEVON TELEPHONIC SYSTEM.

SIR CAMERON GULL (Devonshire, Barnstaple): I beg to ask the Secretary to the Treasury, as representing the Postmaster General, whether he can state when the provisional agreement between the Postmaster General and the National Telephone Company as to the extension of the trunk telephone line to North Devon, which was made last autumn, will be finally sanctioned and the promised extension made.

MR. HANBURY: The work necessary for the connection of Barnstaple and Ilfracombe with the trunk wire system has been authorised by the Treasury, 31st May, and will be completed as rapidly as possible.

LONDON TELEPHONE SERVICE.

MR. PROVAND (Glasgow, Blackfriars): I beg to ask the Secretary to the Treasury, as representing the Postmaster General, if he can now say when the Post Office will be ready to supply telephone service in the London district from their exchange, and when the tariff and conditions will be published.

MR. HANBURY: The construction of the underground system of wires for the Post Office telephone exchanges is proceeding as rapidly as possible in various parts of London, and it is hoped to complete a part of the system about the end of the present year. The rates of subscription and conditions of service will be published as soon as the Postmaster General is able to give a definite date for the opening of the central exchange.

GREAT NORTH OF IRELAND RAILWAY—SUTTON-HOWTH TRAMWAY.

MR. T. M. HEALY (Louth, N.): I beg to ask the President of the Board of

Trade whether he is aware that the Great Northern Railway (Ireland) Act, 1897, empowered the company to lay a tramway to Howth along the public road from Sutton to Censure and along the Bailey Road, but that the company, instead of laying a tramway along the public road, built a tramroad between those points on lands acquired from private owners, and raised the some a foot above the public road, but without fencing it off for the safety of the public or providing for surface drainage; whether, considering that the Irish Courts have decided that there is an essential difference between a tramroad and a tramway, one being part of the road available for public traffic and the other being a railway, the road authority has power to sanction such deviation from the powers of the Act under Section 20, as the company allege; is any agreement under that section as to construction between the company and the road authority to be subject to the provisions of the Act, and confined to tramways along or across any street or road; do the Board of Trade maintain that such an agreement is within the competence of the parties, and have the Board of Trade been asked to sanction a departure from Section 9 of the Act, which provides that the tramways shall be laid and maintained in such a manner that the surface of the rails shall be on a level with the surface of the carriage way of the road along which same is laid; and whether, as the line is not to be opened for public traffic without a certificate from the Board of Trade, such certificate will be granted until the law is complied with.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. RITCHIE, Croydon): I am aware that, at the request of the road authority, the railway company proposed to lay the tramway along the side of the road instead of on the road itself. The Board of Trade informed the company that the Department had no power to authorise such a deviation from the authorised line, but that as the alteration was made at the request of the road authority they would not refuse to inspect the line if so made. It is clear that the company should take the earliest convenient opportunity of obtaining statutory authority for the alteration.

MR. FLAVIN: Is there any power to construct a tramway on a public road?

MR. RITCHIE: Certainly, if authority is given.

CORK AND WATERFORD TELEPHONE SERVICE.

MR. MAURICE HEALY (Cork): I beg to ask the Secretary to the Treasury, as representing the Postmaster General, whether the so-called trunk telephone service between Cork and Waterford is not a direct wire but passes through Limerick and Dublin with the result that the delays are such as to make the service useless; and seeing that in England towns so small as Hayle (Cornwall) with only 1,672 inhabitants, Newquay with 1,891 inhabitants, and Llandaff with 3,379, have the advantage of a trunk telephone service, and that in Ireland Tralee (the chief town of county Kerry), Killarney (an important tourist centre), and other important towns, such as Newry, are left without it, whether the Postmaster General will reconsider the representations made to him by the Cork Chamber of Shipping and Commerce as to the necessity for trunk telephonic communication between Cork and Fermoy, Youghal, Mallow, Tralee, and other towns.

MR. HANBURY: Telephone trunk-wire communication between Cork and Waterford is by way of Dublin. There is no break at Limerick. The average number of messages between Cork and Waterford is less than two a day, but the service is a good one. There is not a direct trunk-wire service at Hayle and Llandaff. The nearest offices on the trunk-wire system are at Penzance and Cardiff respectively, and access to that system is obtained through the local exchange systems of the National Telephone Company from Hayle and Llandaff. The extension to North Cornwall and Newquay was made under a guarantee from the National Telephone Company. An extension of the trunk-wire system is now being made to Newry under a similar guarantee, and the Postmaster General has offered on several occasions to extend the system under local or other guarantees to the other towns mentioned in the question.

LOCAL TAXATION COMMISSION—SITTINGS IN IRELAND.

MR. CAREW (Dublin College Green): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is

proposed to have any sittings of the Royal Commission on Local Taxation in Ireland, as was arranged last autumn; and will he state what steps have been taken to make public in Ireland the nature and objects of the inquiry, and whether any memorandum or statement has been issued showing the special heads on which evidence would be required irrespective of such local taxation; and whether, in view of the facts that since the establishment of the Commission a new system of local government has been established in Ireland and the incidence of local taxation has been changed, and that upon the Commission as at present constituted there is no member who resides in Ireland or with practical experience of Irish local affairs and administration, the Government will consider the advisability of either appointing a new body of Commissioners to sit in Ireland or of now adding to the existing Commission persons with practical and intimate knowledge of Irish legislation and Irish local government.

THE CHIEF SECRETARY FOR IRELAND (Mr. G. W. BALFOUR, Leeds, Central): I am informed that the Royal Commission on Local Taxation have felt themselves obliged by various circumstances to abandon their proposed meeting in Dublin. The Irish witnesses whom it was intended to hear have been examined in London, and their evidence will shortly be published. The scope of the inquiry it set forth in the terms of reference and has been made known to the public through the medium of advertisements extensively published in the Irish press last year. No further steps have since been taken in the matter. With regard to the second paragraph, I think the time has hardly come for an exhaustive inquiry into the working of the new system of local taxation established in Ireland by the Local Government Act. I may remind the hon. Member that one of the members of the Commission is the hon. and learned Member for East Donegal.

LAND PURCHASE IN IRELAND—ORPEN ESTATE—REFUSAL TO SELL TO TENANTS.

MR. FLAVIN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the estate of Jane Sophia Orpen, in the barony of Glanrought, county Kerry, was advertised to be sold in four lots on 20th June, 1900, in the Chancery Division Court, Dublin, and that Mr. William G. Lane, of Cork and Dublin, who had carriage of the sale, attended at Kilgoran and accepted the offer of the tenants who had signed the necessary agreements; whether he is aware that the tenants have been negotiating for some years for the sale of this estate, and that on the day the property was to be sold lots 3 and 4 were sold to a local landlord because his offer was higher than the offer of the tenants, and that on the same day the sale of lots 1 and 2 on the same property was adjourned, although the joint offer of the tenants for lot 1 was £2,185, as against only £1,400 bid by the local landlord, and that for lot 2 the tenants offered £1,495 and the local landlord only £1,200; whether he can state on what grounds lots 3 and 4 were sold to the local landlord; and why were the tenants refused to be made the purchasers of their farms, seeing that their joint offers for lots 1 and 2 were £3,680, as against £2,600 bid by the local landlord.

MR. G. W. BALFOUR: The facts are generally as stated in the first and second paragraphs, except that as the acceptance of an offer to purchase rests with the court, the solicitor having carriage of the proceedings could not of his own motion accept any offers made by the tenants. Lots 3 and 4 were sold to the local landlord because, in the opinion of the Judge, his offer was more advantageous to the estate than a sale to the tenants. The sale of the other two lots was adjourned as the court was unable to accept the tenants' offer, that being conditional upon the Land Commissioners sanctioning an advance of the necessary amount of land stock.

MR. FLAVIN: Is it not the fact that the joint offer of the tenants was more than that of the local landlord?

MR. G. W. BALFOUR: I can only repeat the answer I have given that in the opinion of the Judge the landlord's offer was the more advantageous to the estate.

CAPTAIN DONELAN (Cork, E.): But ought not the advantage to the tenants to be considered as well as the advantage to the estate?

*MR. SPEAKER: Order, order! That does not arise out of the question.

MR. FLAVIN: It was my question.

WARDEN ESTATE—EVICTION OF JOHANNA HUSSEY.

MR. T. J. FARRELL (Kerry, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that a family named Hussey was evicted on the Warden property on 6th June, 1900; and that Johanna Hussey, the wife of the evicted tenant, was also evicted on the same day by the sheriff, bailiffs, and police, notwithstanding the fact that the local dispensary officer stated that this woman was under his medical care, and had given certificates as to her unfitness to be removed or evicted, and also certified that she was a case of quiet mania, and in a debilitated condition; and can he state on what grounds and by whose authority was Johanna Hussey evicted, and whether he proposes to take any steps in the matter.

MR. G. W. BALFOUR: The eviction of Hussey and his family on the date mentioned was carried out not by the police but by the sub-sheriff, in pursuance of a decree for possession obtained at petty session in April. Prior to the eviction Hussey had obtained a certificate from a doctor that his wife was not in a fit state for removal. The sub-sheriff, however, was accompanied on the occasion by a doctor who examined the woman and certified that she could with safety be removed. Upon the approach of the eviction party it appears that Mrs. Hussey, although fully dressed, was put into bed by one of her daughters, and after the eviction was carried out she ran away from the doctor who had been speaking to her. There is no doubt, I believe, that she is a woman of weak intellect. There is nothing in the matter calling for action on the part of the Government.

MR. FLAVIN put a further question.

MR. G. W. BALFOUR: If the hon. Member wishes further information he must put down his question.

BELFAST LUNATIC ASYLUM—CASE OF ELIZA CLINGIN.

MR. MACALEESE (Monaghan, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if his attention has been drawn to the particulars of an inquest held in the Belfast Lunatic Asylum on the 15th ultimo, on the remains of an inmate named Eliza Clingin, who was an inmate of the asylum from 1892, and died after long suffering from phthisis; and would he make known to the House the nature of the communication made to the coroner which induced that gentleman to hold an inquest in this case where the cause of death was within the knowledge of the medical and nursing staff of the asylum.

MR. G. W. BALFOUR: I have seen a copy of the verdict of the coroner's jury in this case. As regards the second paragraph, the only communication made to the coroner which induced him to hold the inquest was the ordinary notification sent to the coroner in the case of every death in a district asylum in Ireland within forty-eight hours of the death.

LIGHTS IN LIMERICK PORT.

MR. O'KEEFFE (Limerick): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he would direct attention to the request of the Limerick Harbour Commissioners asking the Irish Lights Commissioners to erect a light on a point on the river Shannon, at Rinmalon, for the advantage of the navigation of the port of Limerick.

MR. G. W. BALFOUR: This matter has already, I understand, been before the Irish Lights Commissioners, who have informed the harbour authorities that they are unable at present to recommend the establishment of a light at the point mentioned.

IRISH SHEBEENS.

MR. MACALEESE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he will grant the Return respecting shebeens in certain towns in Ireland standing on to-day's Paper.

MR. G. W. BALFOUR: No objection will be raised to the issue of the Return provided the hon. Member will expunge from the form of notice the first portion, which asks for the number of suspected shebeens in the five cities named. The Government could not consent to the publication of information purporting to

be based merely on the suspicions entertained by the police. If, therefore, the hon. Member will place an amended form of notice on the Paper, modified as I have suggested, the Return will be granted.

BELFAST LAND COMMISSION APPEALS.

MR. SAMUEL YOUNG (Cavan, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, with reference to the recent sitting of the Chief Land Commission at Belfast, how many cases of appeals from fair rents fixed by the Sub-Commissioners were disposed of by them, and in how many cases were the judicial rents confirmed and reduced and increased respectively; and whether the Chief Commissioners inspected any or all of the holdings, or merely depended upon the reports of the court valuers to guide them in coming to a conclusion.

MR. G. W. BALFOUR: There were ninety-seven cases listed for hearing before the Chief Land Commission at their recent sitting at Belfast. Of these the rents fixed by the Sub-Commissioners were confirmed in fourteen cases; reduced in four; increased in fifty-three; and dismissed in three. Ten cases were withdrawn; seven settled; judgment was reserved in two cases, and four were adjourned. The Chief Commissioners did not view the holdings. They decided the cases in the ordinary way after hearing the evidence adduced on both sides, and after considering the schedule of the particulars recorded by the Sub-Commission and the reports made by the Court valuers.

IRISH LICENCE TRANSFERS—ROCKCORRY CASE.

MR. MACALEESE: I beg to ask Mr. Attorney General for Ireland if he is aware that Mr. Leslie, agent for the Dartrey estates, in County Monaghan, recently took over the farm and public-house of a tenant, in the townland of Drumgole, and in his own name obtained a transfer of the licence at the Rockcorry petty sessions; and will he bring the action of the magistrates in granting this transfer to Mr. Leslie, a land agent, and justice of the peace for the Rockcorry district, to the notice of the Lord Chancellor.

THE ATTORNEY GENERAL FOR IRELAND (Mr. ATKINSON, Londonderry, N.): In reply to the first part of the question, I beg to refer the hon. Member to the reply of my right hon. friend to a similar question addressed to him by the hon. Member yesterday. As to the second paragraph, as there is nothing censurable in the conduct of the magistrates mentioned, the answer to this question is in the negative.

UNIFICATION OF THE CRIMINAL LAW OF THE EMPIRE.

MR. DRAGE: I beg to ask the First Lord of the Treasury whether Her Majesty's Government have considered the desirability of unifying the criminal law of the whole Empire on the lines of the Indian Criminal Code and the Draft Code prepared for the United Kingdom by the late Mr. Justice Stephen, and of codifying the law with regard to bills of exchange and the law with regard to bankruptcy; and whether Her Majesty's Government will consider the desirability of appointing a Committee on which the great self-governing colonies shall be represented to prepare draft codes with powers similar to those possessed by the Committee on obsolete Acts of Parliament presided over by the late Lord Herschell.

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): I am not sufficiently an expert on this subject to be able to give my hon. friend any authoritative pronouncement upon it; but it seems to me that the circumstances of the various parts of the Empire are so different that a universal criminal law applicable to all is almost illusory.

PRIVATE MEMBERS' BILLS AND STANDING COMMITTEES.

MR. CHANNING (Northamptonshire, E.): I beg to ask the First Lord of the Treasury whether he has considered the Parliamentary situation arrived at this year of a number of Bills in the hands of private Members having passed a Second Reading and been dealt with by Standing Committees or referred to Standing Committees, at an expenditure of the time and trouble of Members interested, with little chance of being further considered in the House and passed into law; and whether he will make either proposals to alter procedure on such Bills in future sessions, or appoint a Select Committee

forthwith to inquire and report what amendments of procedure are desirable to facilitate such legislation.

MR. A. J. BALFOUR: I hope that the labours of the Standing Committees upon these Bills have not been thrown away, any more than the labours of the Select Committees on such Bills are thrown away. Such discussions usually end in the Bills being brought forward in an amended form on a future occasion. But I am not in a position to pledge myself to appoint a Committee for the purpose of facilitating the progress of private Members' legislation as distinguished from Government legislation. The House of Commons can only sit for a certain number of months in the year, and I think that the bulk of the legislation should be in the hands of the Government rather than in the hands of private Members.

COUNTY AND BOROUGH FRANCHISE ASSIMILATION (LONDON) BILL.

Reported from the Standing Committee on Law, etc., with Amendments.

Report to lie upon the Table, and to be printed. [No. 244.]

Minutes of the Proceedings of the Standing Committee to be printed. [No. 244.]

Bill, as amended (in the Standing Committee), to be considered upon Monday next, and to be printed. [Bill 272.]

EXECUTORS (SCOTLAND) BILL.

Reported from the Standing Committee on Law, etc., with Amendments.

Report to lie upon the Table, and to be printed. [No. 245.]

Minutes of the Proceedings of the Standing Committee to be printed. [No. 245.]

Bill, as amended (in the Standing Committee), to be considered upon Monday next, and to be printed. [Bill 273.]

SELECTION (STANDING COMMITTEES).

MR. HALSEY reported from the Committee of Selection, That they had discharged the following Members from the Standing Committee on Trade (including Agriculture and Fishing), Shipping, and Manufactures:—Mr. Victor Cavendish, Captain Bethell, Colonel Milward, Mr. Abel Smith, Mr. A. K. Loyd, Mr. Monckton, Sir Charles Welby, Mr. Grant Lawson, General Russell, Mr. Hedderwick, Sir Herbert Maxwell, and Mr. Round; and had appointed in substitution: Mr. Chancellor of the Exchequer, Mr. Cohen, Sir Reginald Hanson, Mr. Wolff, Mr. T. W. Russell, Mr. Kemp, Sir Charles Dalrymple, Mr. Ritchie, Sir Edward Hill, Mr. Tennant, Sir Elliott Lees, and Mr. Brodie Hoare.

Mr. HALSEY further reported from the Committee, That they had added to the Standing Committee on Trade (including Agriculture and Fishing), Shipping, and Manufactures, the following fifteen Members in respect of the Companies Bill:—Mr. Bainbridge, Mr. Banbury, Mr. Bond, Mr. Bryce, Mr. Crombie, Mr. Alexander Cross, Mr. Gedge, Mr. Holland, Mr. Marks, Mr. Martin, Mr. Molloy, Mr. Compton Rickett, Mr. Solicitor General, Mr. Lawson Walton, and Mr. Warr.

Mr. HALSEY further reported from the Committee, That they had discharged the following Member from the Standing Committee on Law and Courts of Justice, and Legal Procedure:—Mr. Brigg (added in respect of the Sunday Closing (Wales) Act (1881) Amendment Bill); and had appointed in substitution: Sir Angus Holden.

Mr. HALSEY further reported from the Committee, That they had added to the Standing Committee on Law, and Courts of Justice, and Legal Procedure the following fifteen Members in respect of the Elementary Education Bill:—Mr. Attorney General, Mr. Broadhurst, Mr. Evelyn Cecil, Mr. Channing, Mr. Drage, Mr. Flower, Mr. Goddard, Sir John Gorst, Mr. Gray, Mr. Alfred Hutton, Mr. Herbert Lewis, Mr. Middlemore, Mr. James Stuart, Mr. Talbot, and Mr. Yoxall.

Report to lie upon the Table.

SELECTION (JOINT COMMITTEES).

Mr. HALSEY reported from the Committee of Selection, That they had discharged the following Member from the Joint Committee of Lords and Commons on Municipal Trading:—Mr. John Wilson (Govan); and had appointed in substitution: Sir William Dunn.

Report to lie upon the Table.

MESSAGE FROM THE LORDS.

That they have agreed to the County Councils (Elections) Act (1891) Amendment Bill, without amendment.

SUPPLY [16TH ALLOTTED DAY].

Considered in Committee.

(In the Committee.)

[Mr. J. W. LOWTHER (Cumberland, Penrith) in the Chair.]

ARMY (SUPPLEMENTARY) ESTIMATE, 1900-1901.

£5, Supplementary, Medical Establishment, Pay, etc.

THE UNDER SECRETARY OF STATE FOR WAR (Mr. WYNDHAM, Dover): I make no complaint, but I own that I am somewhat taken by surprise at finding that the hon. Member for Westminster has not opened this debate. [Opposition cries of "Why?"] I infer that he, having put forward certain statements, desires to hear a reply from the Government without adding anything to them. I have read those statements with the attention which is due to the interest—the absorbing and painful interest—of the subject which the hon. Member has brought to the notice of the public, and also, I say freely, with the attention due to the earnestness with which the hon. Member has been actuated. But I do not propose to follow—and I think it would be almost out of order to do so—his statements point by point in the order in which they have been raised, not in this House but in an organ of the public press. I think my duty to-day, if I construe aright the wishes of the Committee, is to answer, if I can, the question which I believe to be uppermost in the minds of the Committee and of all our countrymen throughout the length and breadth of the land. Unless I misinterpret the wishes of everyone here and in the country, the questions which they wish answered are these. In the first place, are these statements true? In the second place, if they are wholly or even partially true, could the evil which they point to have been avoided either by a keener foresight or by a more lavish provision and expenditure on the part of the Home Government, or by greater zeal and intelligence on the part of our officers, and more especially on the part of the Royal Army Medical Corps, in South Africa? The third question which presses for a reply is this—are those evils now remedied or are they in the course of being remedied? I put these three questions forward, and as the hon. Member did not rise I rose myself, because I thought it right to discuss these questions before any other matters which are more or less germane to the debate are dragged into it. It would be quite easy and even proper to discuss this evening whether the establishment of the Royal Army Medical Corps is adequate or not. Many other questions will occur to hon. Members. But I feel that if these questions were raised before the others were answered I should be led away against my will from the topics which are of vital and immediate moment. They belong to the larger and wider considerations. Whether this Government and its predecessors have properly gauged exactly the military needs of this Empire is a well-worn topic. We have covered that ground before and shall do again. But this afternoon we have to consider whether certain circumstances did or did not happen at a certain spot on a certain day; whether they could be prevented; and whether such events are less likely to happen again by reason of the steps which have since been taken. I answer the first question by saying frankly that to a certain extent—to a lamentable extent—it is true. It is true that our wounded and sick at Bloemfontein have in this campaign, as I believe in every other campaign, been exposed to terrible hardships, the full extent of which has not, perhaps, been always gauged by those who have not seen war. I have no quarrel with the hon. Member, but he must allow me to point out to this Committee the nature of the methods which he has adopted. He has painted a picture of one place at one time, and he has painted the circumstances which occurred there, without hinting at many other facts and at many other things which ought, I think, to have been presented at the same time, in order that a just estimate and judgment might be formed on the matters. That is a legitimate method of bringing a serious evil forward — to paint a picture of it, to make it vivid, and to do it vigorously, so that it strikes the hearts and the feelings of the people. I do not

complain of it, but I believe that it is a method more usual in the domain of art than in the domain of sober politics. It would have been open to the hon. Member at the same time to have gone into other details which it will be my duty to put before the Committee this evening. But taking this picture as being to a certain extent—to a great extent—true, I maintain that you cannot get at the full truth unless it is supplemented by other facts and considerations. Now I am called upon to defend, as I have said, the foresight of the Government and the zeal and energy of our officers in South Africa; and in doing that I may seem—for we are all conscious of our own weakness—to make out too good a case and to prove that nobody has been in error Let me begin by disclaiming any such intention. Humanity is liable to error. I have no doubt that it has not been possible for men in this war to do what men have never been able to do in any war; and I am sure that this Government have not been all-wise and specially assisted to avoid all error. But, having said that, I shall have to argue that no stone was left unturned and that no man has spared himself in trying to mitigate, as they have been mitigated, to an extent never attained before in any campaign, what are, after all, the inevitable hardships of war. We are convinced that we have much to learn by experience. It has been the hope and the wish of the Government, openly stated in this House at the beginning of the session—and I beg leave to say that it is the hope and the wish of the Royal Army Medical Corps—to learn by the experience of this war, and also, no doubt, by the inquiry which will be instituted. But as to foresight, is it true that this Government went to war in South Africa without taking account of the possibility of an outbreak of enteric fever on a large scale? I venture to give the facts, and to tell the Committee that long before the war broke out, during last summer, sickness was anticipated in South Africa, and, of course, particularly in the form of dysentery and enteric. The importance of exercising every precaution to prevent it was specially emphasised by the Director-General of the Army Medical Corps in London to all the medical officers who might possibly have to proceed to South Africa. A pamphlet on the sanitary lessons of the recent war between America and Spain, by Surgeon-General Sternberg, was, with the author's permission, reprinted and issued to every medical officer sent to South Africa. In anticipation of the outbreak of hostilities, recommendations were made that each unit of 100 men should be supplied with a sterilising filter; and it was laid down that quicklime should be stored in quantities of one ton to every 1,000 men wherever standing camps were formed, and that it should be constantly issued. Medical officers were urged before the outbreak of the war to ask for anything they might require in addition to the materials at their disposal. There is no case of stinting, of deliberate or careless stinting no case. The medical officers in South Africa have been begged to ask for all they need and the surgeon-generals at home for anything they may require. The Director-General of Ordnance has given all that has been asked for through the quartermasters and the principal ordnance officer in South Africa. Every demand that has been put in has been complied with, and the Treasury has never suggested that we should be otherwise than lavish within the most extreme bounds of generosity in all stores needed for the welfare of our sick and wounded in South Africa. It might interest the Committee to hear what are the appliances and the *personnel* in South Africa now, and what they were in January. I take those two dates for this reason. I think an idea has got abroad that, after that week in December which brought us the news of the three disasters, when we suddenly began to increase very largely the forces in South Africa, no corresponding increase was at once made in the provision of doctors, nurses, and hospital appliances. This is not so; and I can illustrate the great difference between the resources available then and now if I take the date of 15th January and the most recent date for which I have the figures—namely, 15th June. On 15th January there were in South Africa 351 Army medical doctors; on 15th June, 446. In January there were seventy-nine civil medical doctors; in June, 348; and thirty-two are now proceeding there. Of consultants, highly-paid specialists, there were three in January; in June, seven. The doctors employed in civilian hospitals in January were four; in June, fifty-two. Or adding them together, on 15th January there

were 437 doctors employed by the War Office, and in June, 853. That was the number on 15th June, but I have the later figures up to yesterday, when, I think, the total was 906. I leave out of account the local civil practitioners in South Africa, because I have not had the figures; but there are many eminent doctors there well qualified, and I know that they have placed their services at the disposal of the Government. The figures which I will now give as to the Army nurses will, I know, excite surprise. It is true that our staff of Army nurses on the establishment is always a small one. In South Africa there were forty-three in January and fifty-three in June; but the system designedly contemplated that there should be employed in time of war qualified nurses, who are taken into Army employment; and thus there were in January twelve and in June 335; so that the total of nurses in January was fifty-five; on 15th June, 482. But the last date which I have gives 566, and with those who are now on passage 639. I will now give the number of beds in South Africa. There are 5,000 in Natal and 13,600 in Cape Colony, or 18,600 in all. Here again I am able to draw a comparison. On 15th January there were five general hospitals, four stationary hospitals, twenty-six field hospitals, and one special hospital organised by civilians. On 15th June there were twelve general hospitals; two are embarking—one of them goes to-morrow—five stationary, thirty-one field, and ten special hospitals organised by civilians, but with Army doctors at the head of them and under the control of the War Office; so that on 15th January there were thirty-six and in June sixty hospitals. On 15th January there were in these hospitals 5,960 beds; on 15th June 18,814 beds. The number of sick and wounded on 19th January was 3,731, and on 18th May, the last date for which I have the figures, there were 11,903. I know that down to the most recent period there is an excess of beds in South Africa, because we received a telegram on 19th June to say that the Ordnance Department in South Africa had beds in excess of the demand. The difficulty has not arisen from any stinting of supplies, but from the inseparable difficulties in taking those supplies to the base of operations. I do not wish to put the case too highly, or to use any expression which may give a more favourable picture of affairs than is absolutely true, and in the figures for beds I have included the field hospitals because I am not able to distinguish. In the field hospitals there are 100 beds which some people say are not beds. With every brigade there is a field hospital. This gives a 10 per cent. bed accommodation, and we ought, perhaps, to deduct a slight fraction and say that our provision has been not a 10 per cent. but an 8 per cent. of beds. What is the scale on which provision was made for this campaign? The scale was a 10 per cent. bed accommodation for the whole force—the highest scale ever contemplated. It is a scale fixed for campaigns in the most insalubrious climates, for campaigns prosecuted in Ashanti, in jungle or fever-riddled regions, but never applied in such a country as South Africa, which is, barring the terrible epidemics which have suddenly taken place, a healthy country. I ought, perhaps, to tell the Committee that that scale of 10 per cent. of beds has been applied seriatim to every increase made in our forces in South Africa. Each division ordered forth has been accompanied by its proportionate quota of medical appliances and medical staff. So, again, I remind the Committee that I do not say no mistakes have been made, or that five or six days delay here or there has not occurred owing to information that some Australian or Canadian corps was coming in. I have no doubt that there have been such lapses, and that five or six days have been lost in giving orders to keep pace with the increases of forces from all quarters of the world. The number of men who have gone from this country, from India, Australia, and Canada, within a few days, have made that proportionate increase in the *personnel* and in the stores necessary. I do not know whether the Committee wish to know what the organisation of the medical service is. I hear complaints that there is too much red tape. I am quite prepared to defend that organisation. With every general there is a principal medical officer. He is in the secrets of the general; he is in his confidence. He is told what number of troops are to be marched, what distance, in what time; and he requisitions through the chief staff officer for the amount of stores necessary for such an operation. That system runs from the top to the bottom of the organisation of a campaign. It may seem

too rigid to those who step into a particular hospital and wonder why the doctor cannot rush off in any direction and seek by his own energy to get supplies. You would have a breakdown of the most irreparable character unless you co-ordinated the demand of your medical services with the other demands which are necessary for the existence of the Army. For the doctor, the engineer, the commander of the military unit, it is essential that they, having been told what is required of the force for which they are responsible, should through one channel make these demands, and that that channel should be in the closest contact with the general officer responsible for the whole operations. Otherwise you would have the various component parts of the Army naturally out of their zeal rushing against each other; and you might have medical stores and no food, or food and no medical stores, according to the opportunities which might fortuitously fall to one or other officer. Having dealt with organisation, perhaps I ought to refer to field hospitals and beds. There are in the front line of the army bearer companies with six ambulance wagons. Then comes the field hospital. Though the bearer company takes the man out of action, he may have to lie on the field until seven o'clock in the evening, since it may be impossible to approach him. The field hospital on a larger scale cannot give to the wounded man all that is given to him in hospital at home, or beds as in a general hospital. The wounded are collected from the field, and it is a necessary part of army organisation on service that field hospitals should be temporary in their character, since they have to move rapidly with the army and clear the wounded back to the stationary hospitals which are established near the base. That may be done by wagons or trains. In this war it has been done largely by hospital trains. There is terrible hardship, in the first place because the wounded cannot be at once removed out of the firing line and taken to the hospital; and in the second place they have to be conveyed over a rough country in an ambulance wagon and put into a train, and then conveyed by a train on a single line blocked sometimes with stores going the other way, taking twenty-six hours to cover a short distance; all this means terrible hardship to the wounded. I know there has been a good deal of criticism levelled against the ambulance wagon; but it is a wagon which is devised after four years of experiment by men who know what are the conditions of service in the field, notably by Sir Redvers Buller. The wagon has been tried over rough country. It must be a stout wagon, or else it will break down, and a breakdown means some deplorable catastrophe. Your wagon must carry some stores necessary for first aid to the wounded. If those stores were not there, what legitimate attacks might be levelled against a wagon which could not carry those stores which were necessary for first aid. Then it is said, "If one wagon why not four wagons? Expense is nothing to us." If you had four wagons, and a rapid advance was ordered, three would be left behind. When horses begin to die you can only take one wagon, and the others would be left. These things must be matter of compromise, and the compromises of war carry with them many lamentable hardships to those engaged in it. To make my point clear that there has been no stint of supplies from home, I have two telegrams here despatched very near the dates so prominently brought forward by the hon. Member for Westminster. One is a telegram despatched by Lord Roberts, dated Bloemfontein, 24th March, and it runs as follows—

> "Unless the forces now in South Africa are considerably increased, the eleven general hospitals should be sufficient if the 500 men asked for are being sent."

These 500 men were sent long ago, and although the forces in South Africa have not been considerably increased, two more general hospitals have been sent out. Then there is a telegram relating to stores received on 31st May from the General Officer commanding lines of communication. I quote it only because of the date, and I have selected only those telegrams which bear upon the hon. Member's questions. This telegram reads—

> "Please stop sending for the present surgical material mentioned in Army Order No. 112,119; enormous quantities in base medical stores."

[An HON. MEMBER: That is at the base.] That is my point, and I will try to bring home to hon. Members what the difficulties are. My point is to show that there has not been any lack of foresight or prevision. The keenest foresight and lavish-

ness of expenditure are the two points I am endeavouring to deal with. I do respectfully submit to the Committee that such telegrams as I have read point to the conclusion that, whilst we have neither refused a demand nor reduced a demand, we have, on the contrary, made spontaneous offers of supplies, till at Cape Town stores have been piled up to an almost embarrassing degree. I come now to Bloemfontein and Kroonstad, which the hon. Member for Westminster has so prominently brought under notice. First I will quote two other telegrams, one of which has been sent and one received since those telegrams which have been printed and circulated among hon. Members. On 27th June my noble friend Lord Lansdowne telegraphed to Lord Roberts—

"*The Times* contains letter from Mr. Burdett-Coutts reflecting in strongest terms on hospital administration. He takes as an illustration a field hospital within a mile of Bloemfontein, which, he says, neither has nurses nor beds nor mattresses, although it was practically doing the work of a stationary hospital. He describes the overcrowding and suffering as deplorable. Your telegram explains the difficulties experienced at Bloemfontein, but I should like to know whether this hospital, which can probably be identified, is really typical of the rest."

Lord Roberts, in his reply on the 28th June, says—

"I cannot say without careful inquiry what hospital at Bloemfontein is referred to. In many cases patients were not fit to be moved after admission. It was, however, impossible to provide beds and mattresses for 5,000 patients all at once. I can safely say that any deficiencies of the kind were accidental and temporary, and certainly not typical of our field hospitals as a whole."

Then I go to the contemporary records, written at the time, of what there was at Bloemfontein at the date mentioned. On 27th April there were at Bloemfontein six fully-equipped general hospitals, with 2,000 beds in all and with considerable capacity for extension. There were altogether 2,291 patients in the military hospitals on that date at Bloemfontein, 873 being cases of enteric. There were six field hospitals, of which all but one had to be prepared for being moved at any time. One was regarded to be more or less stationary. On 27th April there were six medical officers and three nursing sisters on duty there, in addition to the Royal Army Medical Corps orderlies. There were 251 patients, of whom 96 were enteric cases. In the remaining five field hospitals there were 236 cases of enteric. The return from No. 1 field hospital indicates that it was overcrowded, but this may have occurred during a period of temporary pressure. The difficulties of moving up supplies extended even to stretchers, and it is true that in some cases patients may have had to lie on the ground, as it was impossible in every case to get a sufficient number of stretchers. Although the number of doctors present is not stated, I myself believe, and indeed am informed by the director-general, that the number of medical officers in attendance must have been twenty or thirty, which was one to every ten or fifteen enteric patients. With reference to the allegation that patients wandered about half naked in the camp during the period of delirium, I find in the diaries which were sent home a note that a patient suffering from an old gunshot wound escaped in the early hours, that an exhaustive search was made for the patient, but that no trace of him could be found, and that inquiries at the various hospitals failed to discover him. It may be that the impression created on the minds of the searchers was what the hon. Member for Westminster heard of, and led to the rumour that patients went about the camp in their delirium. On 14th May the principal medical officer reported in his diary that Lord Roberts had expressed the opinion that the arrangements at Bloemfontein were most satisfactory, and that is a later date than that to which the hon. Member for Westminster has called attention. Then we had the telegrams from Lord Roberts circulated yesterday, and I also invite the attention of the Committee to the lecture by the Member for Central Sheffield at the Royal United Service Institution, in which my hon. and gallant friend made some most useful and pertinent observations. [Laughter.] This is made the subject of laughter by hon. Gentlemen opposite, but surely such laughter will be misunderstood by the men out there who have to deal with these difficulties, and who have striven to labour and smooth over these difficulties. I am going to show what those difficulties were, and surely that is not a legitimate matter for laughter, derision, or contempt.

MR. BRYN ROBERTS (Carnarvonshire, Eifion): We did not laugh at that;

we laughed at the authority you quoted. [Cries of "Vincent."]

MR. WYNDHAM: I have admitted that the sick and wounded were exposed to great hardships at Bloemfontein, and I say that those charged with their care had to exercise and did exercise, and show the greatest devotion, labouring for their charges day and night. It will be a matter for universal consolation and satisfaction that their labours were, to a wonderful extent, successful; because it is not the case that the rate of mortality at Bloemfontein was abnormally high. That is wonderful testimony to the efforts which these people made under great difficulties. The percentage of mortality in enteric cases during this war, and more especially at Bloemfontein, has been 21 per cent. of the admissions to hospital. It is fair to compare that with the percentage in other campaigns. In the Nile campaign of 1898 the percentage of mortality was 28 per cent.; in the Dongola campaign of 1896, 50 per cent.; in the Matabele war of 1896-97, 32 per cent.; in the Chitral campaign of 1895, 28 per cent.; and in the Soudan campaign of 1884-85, 39 per cent. Therefore, although I own and admit and regret that the conditions at Bloemfontein were what they were, still our Army doctors brought down the percentage of mortality far below what it has been in recent campaigns. I will even dare to compare it with the percentages in time of peace when every appliance is at hand. I will take the case of soldiers in our own hospitals at home. During ten years the percentage of cases of mortality from enteric in these hospitals was 20·4, and in the year 1897 it was 23·9, or 2 per cent. higher than the percentage of mortality at Bloemfontein under these conditions. In India, taking soldiers admitted to hospital for enteric in a time of profound peace, the percentage of deaths for ten years was 26·4, and for the year 1897, 27·5. I will not pursue similar comparisons for wounds, because I may tell the Committee that the percentage of deaths from wounds and from disease generally in the present war have been lower than has been the case in other campaigns. I think the Committee have listened to these statistics with the interest and satisfaction which I admit they aroused in me when I read them, for I had feared that many lives which could have been saved had been lost, and I am now almost led to believe that this is not the case. I do not quarrel with the method which has been pursued of painting a picture of this one spot at its worst, but there ought to have been a companion picture to make it fair and give the whole truth—of where the bridges had been broken down at Norvals Pont and Bethulie, of the trains one behind the other, of the stores piled up, of the deviations laid down and the food and ammunition for the Army being painfully taken over pontoons and reloaded into such rolling stock as had been left on the other side of the river by the Boers when they retired. That was the problem that had to be faced. Lord Roberts landed at Cape Town on the 10th January. By the 11th February he had collected 44,000 men near the Modder River and started to relieve Kimberley. He relieved it on the 16th, and then he concentrated his force again at Paardeberg, and on the 13th of March he entered Bloemfontein, after marching 120 miles away from the railway. Lord Roberts, owing to the limited amount of transport, had to restrict his baggage to the lowest scale, and he arrived with his horses wholly starved and his men half starved. What was the problem before him? He had to supply his army with its daily bread and with the munitions of war. He had to collect more troops and to accumulate stores for a further advance. Now will it be said that therefore his march was a mistake? No one will say that. It was not a showy march to capture the capital of the enemy's country. That huge curve which Lord Roberts described was really a march of relief of the beleaguered garrisons of Ladysmith, Kimberley, and Mafeking, and that is the excuse and the ample justification for that daring move for which it is hard to find a parallel in military history. Bloemfontein is a town of 5,000 inhabitants, and all the stores and cattle in it had been removed, and therefore for the very existence of his army Lord Roberts had to depend upon such food and so many cartridges as could be brought up by the line behind him. He had to draw up stores from De Aar, 250 miles distant, and from places on the coast 750, 450, and 350 miles away. For the last 85 miles from Springfontein there was only a single line. Lord Roberts had not restored his railway communications.

until 19th March. I do not know when the bridges were restored, but on 16th March Colonel Girouard estimated that it would take at least sixteen days to restore them. What was the problem of feeding the army? Lord Roberts had 45,000 men when he arrived at Bloemfontein, and he increased that number to 75,000 by 30th April. It takes ten tons for every 1,000 men every day during a campaign. That gives about 22lb. a day to each man, including food, ammunition, clothes, forage, medical stores, and engineer stores, but not including the carriage of the men who come up or their horses. Take an average of the 45,000 men at Bloemfontein on 13th March and the 75,000 men there when Lord Roberts moved, and you will find that he had to bring up to keep his army alive 550 tons a day. But then he had to collect his supplies for a further advance, because if he had not advanced Mafeking would have fallen, and the whole of that glorious move would have ended in a mere useless waste of men's lives. To prepare for a further advance he had to collect twenty-five days provisions for the whole 75,000 men to take on with them. This represented a further 18,750 tons that had to be brought up, or 470 tons a day for the forty days he was at Bloemfontein, so that this single line, the bridges of which were down, up to the last day of March was carrying 1,020 tons a day in order that Lord Roberts's army should not starve or be defeated owing to want of ammunition. I have left out of account the 6,000 horses as remounts and the mules and the tents that had to be brought up. I have a letter supplied to me by my friend the hon. Member for Wimbledon, who is a governor of Guy's Hospital. It was sent to him by Dr. Fripp, who is not in our employ, and it gives such a graphic description of the difficulties of getting up stores that I will trouble the Committee with passages from it. It is dated from Bloemfontein, 4th June. Dr. Fripp says that in Bloemfontein there were at that time over 5,000 sick, most of whom were suffering from enteric fever; while in Kroonstad the three hotels, the town hall, and the church had been converted into hospitals, even the billiard tables being requisitioned to accommodate cases of enteric fever. He adds that as the railway had been opened the Surgeon General was engaged in rapidly pushing up adequate hospital accommodation, and that as Lord Roberts was now at Johannesburg, where there were public buildings suitable for the purpose, hospitals would be established there.

"We have now heard," the letter states, "of the bridge over the Vaal being blown up"—

and hon. Members will see how this bears on the point—

"and the possibility of establishing adequate hospital accommodation across the Vaal depends entirely on the question how early the railway can be established. At each river the bridges have been blown up, deviations have to be made, the engines are worn out—they cannot pull their loads across these steep gradients without a subdivision of the train. Each train delayed in this way affects the whole section of the line. The track is a single one, and therefore trains going both ways are delayed. The train we have travelled up from Bloemfontein to Kroonstad, although first on the line, took twenty-six hours to do the 120 miles. There is also a scarcity of fuel and water, which renders it necessary for the engine-driver sometimes to abandon his train and run the engine on to fill its tanks and then back to pick up the train."

If hon. Members will realise these facts, if they will realise what it means to take 1,020 tons a day in order to keep the army alive by such a machine of locomotion, I think they will understand that it was possible, that it was inevitable, that the necessary stores should not be in Bloemfontein for days and even weeks after they were required. The picture drawn by the hon. Member for Westminster rests upon this fallacy—it assumes that Bloemfontein was a base hospital in perfect security. It was as I have described; the means of access to it were as I have described; and during the whole of that time when Lord Roberts was accomplishing this superhuman task. Far from being free from attack, his right flank and his line of communication were being threatened and actions were being fought every day. What I have said is an inference from the conditions of warfare in South Africa, an inference from the facts before us—a legitimate inference—which I think should be accepted by all. But I do not rest on inference alone. The inference I have drawn is confirmed by contemporary evidence. If the Committee will bear with me a moment longer I should like to read some extracts from the diary of the principal medical officer at the base at

Cape Town, showing these daily difficulties.

"5th February.—Our railways are being blocked, and I cannot get up beds and bedding as quickly as I desire.

"22nd February.—I have received a telegram from Lord Roberts that more medical officers are urgently required.

"15th March. — Received wire from the Commander-in-Chief at Bloemfontein to be ready to send on thirty nurses as soon as the line is open.

"21st March.—No. 8 general hospital has arrived. As the main line is blocked it must be days before it can be pushed through.

"5th April.—Nos. 8, 9, and 10 general hospitals have arrived. All are under orders for Bloemfontein. No. 8 is now at East London, and as part only of the equipment can be forwarded, I cannot say when 9 and 10 will get through. Hospitals are urgently required in the Free State. I was fortunate to get the advance depôt stores away.

"10th April.—Two hospital trains arrived yesterday from Bloemfontein. I hope to get them away this evening, as they are urgently required. I am sending one hundred beds. There are three general hospitals trying to get to Bloemfontein. The traffic is so great that I am unable to get them through."

Does not that account for the terrible, the deplorable state of affairs that the hon. Member for Westminster found at Bloemfontein? I have tried to give the Committee the facts—the full facts. I am sure the Committee, in taking them into account, will weigh the considerations that have been urged by Lord Roberts—a general who is making history by these difficult marches, and while doing that is winning an enduring place in the affections of the men who serve under him for his incessant solicitude for their welfare. But is there not also the testimony of the wounded who have come home? Is there not the almost unbroken silence of the press? [HON. MEMBERS on the Irish benches: No, no!] I am not talking of the leading article; I am talking of the press gentlemen who are out in South Africa, and who have eyes to see; and are we to believe that if they saw these things they would not have written home about them? [HON. MEMBERS on the Irish benches: They have done so. What about the Censor?] Letters are not censored. [HON. MEMBERS on the Irish benches: They are.] I beg that I may not be interrupted. What I say is that what was open to the hon. Member for Westminster was well within the competence of others to see at Bloemfontein. No one will suggest that these gentlemen were parties to a conspiracy—some conspiracy of mistaken good nature or loyalty to those with whom they were associated in danger and in hard days. If they saw those scenes, they believed they were inevitable in war, and therefore they did not feel justified in harrowing the feelings of people at home by descriptions of them. They had seen war before, and having had the experience of war they grasped the conditions of war and all that it means. We are a rich people, and being rich we sometimes think that money can do everything. Money has been spent freely, money voted by the House with the full sanction of the people; but even the money voted so unstintedly by the House, even the intelligence and zeal of the medical officers in South Africa, even the devotion they have displayed, though they have mitigated, could not abolish the horrors of war. What is it that we honour and respect in the soldier? It is not wholly or mainly because he gives his life in battle for the cause of his country; but because he bears with uncomplaining heroism the hardships that are inherent in his lot in war.

*MR. BURDETT-COUTTS (Westminster): I feel that I must in one respect ask the indulgence of the Committee. I was perfectly well aware that I returned single-handed to face a tremendous combination of influences and impressions. I am aware that I have taken upon myself a great and grave responsibility. But it is not on that account that I ask the indulgence of the Committee. I am not afraid of the responsibility. What I ask is that, in stating a case so important from a national and every other point of view, any personal shortcomings of mine should not be allowed to interfere with the Committee in judging the question upon its merits. I am bound to make one or two preliminary remarks. In the first place, with regard to Lord Roberts, I desire to take this the only opportunity I have had after having seen Lord Roberts's work to pay my tribute to the great services rendered to his country by that distinguished soldier, and to say I believe that no kinder or more humane heart breathes than his, who braced himself to a great public duty under very painful circumstances. But I must refer to Lord Roberts in regard

to another matter. I observe that in his published correspondence Lord Roberts makes a personal reference to myself. I must therefore ask to be allowed to make a personal explanation in regard to that. Lord Roberts states that if I had called upon him at Kroonstad he would have explained certain matters to me. Immediately after my arrival at Cape Town I wrote to Lord Roberts a somewhat long letter fully explaining the objects of my visit to South Africa and asking permission to join the troops at the front. I received no reply to that letter; but I am bound to say that at the time Lord Roberts received it he was fully occupied with other and more important matters. The day after my arrival at Bloemfontein I called upon Lord Roberts, but was unable to see him. I did see a member of his staff, and that gentleman argued very strongly against my being with the troops at all, stating, amongst other things, that if Lord Roberts desired to make a report to the public upon this matter he would make it, founded upon reports sent to him from his principal medical officers. I could not avoid replying that that theory would do away with all correspondents at the front, adding that this was a matter in which the public were deeply interested and with regard to which they might possibly be glad to have some independent and full information. However, I quite accepted the position, and was not altogether sorry, because it left me free to make my inquiries in a perfectly independent manner. With regard to Lord Roberts I wish to say one thing more. However generously he may take upon himself the responsibility for all these things, I do not believe that anyone will allow it to rest upon his shoulders. When we consider that the Commander-in-Chief of an army of 200,000 men, operating in different columns in divers parts of the country, has to hold in his head and his hands all the complicated plans and threads of these operations, it is absolutely impossible to expect him to supervise, or even to inform himself as to details of a medical system. There is another remark I ask leave to make, because I see that one of my public critics—one of those two gentlemen I have felt compelled to criticise very strongly—began an answer to my statements by saying that he thought the public ought to know that the doctors and nurses had not acted with brutality. Has there ever been a suggestion of that kind in any letter or published utterance of mine? On the contrary, I have given every possible credit to the loyalty and devotion with which those who have had the care of the patients have acted, and I take this opportunity of expressing my deep regret that many—far too many of them—have lost their lives in the performance of their noble task. Unfortunately, in the course of my informing the public upon this subject, the last chapter, so to speak, was not completed. The article upon which this debate is founded broke off at a field hospital at Bloemfontein, and it has not been possible for me to put forward the rest of my account of Bloemfontein, which was to have started with a description of the town hospitals. There were eight hospitals in that town, and they accommodated at first about 700 patients. Some of these hospitals were then in a fairly good condition; there were three which had nurses resident in them at the time the troops arrived, who confined their duties to these hospitals. I heard a great many complaints of the imperfections of the other town hospitals, and a great many accounts of the sufferings of the patients in the early days. I never had the slightest intention of giving any publicity to those accounts, simply because I knew that the equipment of those hospitals was the outcome of a forced march, and because, until the railway was opened I did not think it fair to criticise them. The hon. Member who has just sat down made a great point of the forced march and the difficulty of carrying equipments for hospitals, but I might state here that, after the railway was opened, there was one of the hospitals containing typhoid patients which had no disinfectants of any kind, and another in which the corpse of one of the patients who had died during the night had been stuffed into the only lavatory there was in the hospital. It was found by the patients who went to use the lavatory in the morning. That is a question of management. But as to these hospitals, they were, on the whole, in a fair condition when I arrived at Bloemfontein. Most of the sick or wounded officers went into them; but some officers went into the

private hospitals, which were moved up to Bloemfontein after the first month. A few officers went into the general hospitals. The private hospitals, as the right hon. Gentleman has said, all did admirable work, but I may say they were considerably hampered by the absence or deficiency of nurses; a deficiency solely due to the objection of the Department at home to allow them to take out sufficient nurses in the first instance. They had all been anxious to have a proper quota of nurses, but their request had been refused by the Army Medical Department here. Now, may I venture to say a word with regard to myself? I went out to South Africa because I believed that this was a question which greatly interested hundreds of thousands of people, and I was determined that if the treatment of the sick and wounded was satisfactory the public should know it, and that if it was not satisfactory they should also know it. I want to ask two questions in my own defence. In the first place, am I a sentimental witness? My experience of war was gained in the Russo-Turkish war. That was a barbarous war—a war in which there was practically no medical service on the Turkish side. I only recall this to show that I am the last person to be *exigeant* with regard to the treatment of the sick and wounded in war. Then, am I a prejudiced or an unfair witness? I appeal to the series of articles I have published and which described the base hospitals at Cape Town. Those hospitals were in an admirable condition when I arrived at Cape Town, and I appeal to everyone whether I have not given every possible credit to, and the most favourable picture I could possibly portray of, those hospitals. There is an article of mine published this morning which gives a long account of one of them. The detail into which I have entered proves, I think, that I have been careful in my examination of the hospitals, and the favourable view I have expressed proves the fairness with which I have acted. Now I come back to Bloemfontein. There is one word in my published letter which I regret, and only one; and that is where I speak of the field hospital I have described as an "illustration," without having guarded that phrase by saying it was the worst field hospital there. It was undoubtedly much the worst, but the other field hospitals had no attempt at beds, not sufficient stretchers, insufficient staffs, and were altogether, if they were to be occupied for any length of time, unfit, to my mind, for that purpose. Now I want to explain to the Committee a point which I think has been missed in treating of these field hospitals. The Under Secretary gave a description of the use to which a field hospital is put when it accompanies troops, and how impossible it is to equip it with the equipment of a stationary hospital. I quite admit that that is the case when the hospital accompanies troops, but the Committee must remember that this hospital was not accompanying the troops. It was stationary outside Bloemfontein, within less than a mile of the town, and it has frequently happened in this campaign that where a field hospital was to be used as a stationary hospital it was treated and equipped as such. The chief authority on this subject, Colonel Stephenson, states most emphatically that "where a field hospital is going to be occupied for any considerable time, every effort should be made to raise the patients from the ground." With regard to this particular hospital, there is no need to labour the point, because on the occasion of my first visit to the hospital the officer in command of it told me it was going to be a stationary hospital. With regard to that hospital, and as regards the question of overcrowding, I think my description has been read by most members of the Committee, of the state of things which I witnessed there. Well, I declare that every word of that description is absolutely true, and a picture of what I saw with my own eyes. But I cannot examine the reasonableness of the impression produced upon my eyes except by an appeal to figures. As I stated, there were ten men crowded into a bell tent. The measurement of a bell tent is known; I cannot give it to you exactly. But I see it is stated in a letter in to-day's *Times* that bell tents hold sixteen people. All I can say is that they do not hold sixteen patients. Possibly sixteen people might be crowded into them, but how I cannot imagine. Ten patients, at any rate, are so crowded that when you want to speak to a sick person—a man whose voice is so weak that it cannot reach you standing—and you kneel down and put your face close to his, you have to kneel on one knee and put the other foot behind, because there is not room to put both knees side by side. I

am told by one of my critics that it is not true that patients lay upon the hard ground. All I have to say is this — that there were 316 patients in the field hospital, and I saw the greater number of them lying on the ground on a single blanket each and a thin waterproof sheet. I doubt if all the patients had waterproof sheets. I adduce in support of this statement the fact that that field hospital had half the equipment of an ordinary field hospital. It had been divided into two on the march. An ordinary field hospital has 100 stretchers, and, therefore, this should have had fifty; but eight of these had disappeared, and there remained forty-two stretchers in the hospital. There were 316 patients, and therefore, as I stated, there were 274 patients who had to lie on the ground. I have further to state that these figures and all the figures which appeared in my article on this subject were given to me by the medical officer commanding and in charge of the hospital. I observe that in the cabled messages, of which we have heard quotations just now, Lord Roberts states as the reason for not vacating these hospitals that the patients were not fit to be moved. I have given an instance where, unfortunately, at the close of the career of the hospital, twenty patients who ought never to have been moved were moved—three or four of them in a most critical stage of a dangerous disease. Anyone who knows about typhoid knows the local conditions of it. They were put into ox wagons There were no ambulances. This was two months after our entrance into Bloemfontein. The men were put into these wagons and jolted over the veldt, over the roughest possible ground, and one man was in that stage where his case was hopeless. They were taken to another and more permanent hospital. I have stated in the press that four of these men died in a few days. There is another remark I might make under the head of the field hospitals, and that is with regard to the insufficiency of the *personnel*. Such was the insufficiency of orderlies that patients could not be prevented when in a delirious state from getting up and wandering into the cold air at night. The hon. Gentleman the Under Secretary of State for War has referred to a case, and for some reason or other—I did not quite catch the argument—inferred that it was a solitary case. Why, it happened not only in this hospital but in many other hospitals night after night, solely on account of the insufficiency of the *personnel* and the insufficiency of men to take care of the patients. I could give the hon. Gentleman other instances, but I will not detain the House. I can only take the hon. Gentleman's arguments and reply to them by facts, which I must state in the interest of bringing out the truth in this matter. I greatly regret if I have erred in decorum, or in the judgment of the House, in not rising first to speak. I considered the subject, and it appeared to me that I had laid a charge, and I thought that I might reasonably expect to hear what explanation the Government had to give. I desired to give them an opportunity of making a statement of their case. Of course, it is perfectly competent for the hon. Gentleman to reply to me, as we are in Committee. The first thing that struck me when I saw the crowded state of these field hospitals surrounding Bloemfontein was why more houses and more buildings were not taken to supply hospital accommodation. As I have shown, there were seven or eight buildings taken, which contained an aggregate of 700 patients at a time when there were 2,200 patients in and around Bloemfontein. There were three considerable hotels in the place, there was the town hall, there were large stores, all of which might have been turned into hospitals. In addition to these there were a considerable number of most comfortable private houses which were not occupied by their owners. Their owners had left the town. The houses had grounds around them, in which tents for the attendants might have been placed. Why were they not taken for hospitals? Houses were taken, and legitimately taken—I am not making any complaint—for staff officers and military authorities. [Opposition cheers and Ministerial cries of "Oh, oh!"] I do not make that remark—[Opposition cheers and renewed cries of "Oh!" and an hon. Member: "Shame!"] Well then, I repeat—and I say it without any *arrière pensée*—that such houses were taken as residences for military officers, and I could not see any reason why many more of them should not have been taken for the men who were allowed to remain ill in the tents. I am not saying that the staff and the military officers and authorities should have given up houses that they were in;

I am only arguing that there were other houses there that could be taken for hospitals. The real reason was that there was no one and nothing to put into them in the way of medical *personnel* or medical equipment. With regard to *personnel*, I do not claim that the *personnel* suitable to these hospitals should have come with Lord Roberts on the forced march to Bloemfontein. But a comparatively few days after, the road to Bloemfontein—for the deviation at Norval's Pont was open—was clear, and troops were constantly coming up in numbers, even supplies were coming up. It would have been perfectly possible to have sent up doctors and orderlies. I also say it would have been possible to have sent up nurses, because the road was safe and Bloemfontein was safe at that time. With regard to nursing, I considered myself, like a great many others, that the evils which occured at Bloemfontein were owing to the absence of a proper female nursing staff. They might have gone there if they were in the country in sufficient numbers. They might have been there by 1st April, and they might have been there in greater numbers by 15th April, and hundreds of them might have been there at the end of April, the date at which I saw what I have described. There was no possible reason patent to the eye there why they should not. The nurses of the three extemporised hospitals were there. The women of the town population were there, going about their normal occupations. But the women nurses of England were not there to attend to those soldiers, and if they had been I believe a great many lives might have been saved. I now come to the question of the equipment of these hospitals, which involves the question of transport. The hon. Gentleman has given a very graphic and, in some respects, a powerful account of the difficulties of transport to Bloemfontein. I had myself made some very careful calculations on this subject, but I will not trouble the Committee with them, because I think the hon. Gentleman has eased my way. The Under Secretary said that 1,000 tons of material came up to Bloemfontein every day for forty days. I ask, supposing one train a day—I believe there were twelve luggage trains per day—had contained some hospital equipment, what an enormous boon it would have been to those poor people who were there? As far as I can make out there was no provision for hospital equipment coming up to Bloemfontein at that time. I have stated very clearly what my own position is, and what I feel, with regard to the relation between military exigencies and humanity—that, where military exigencies are entirely incompatible with the proper treatment of the sick and wounded, military exigencies must come first, but that where considerations of humanity can be carried out by a reasonable inroad upon military exigencies—that is to say, by something that will not endanger your military success—humanity ought to be considered. I want the Committee to consider for a moment what the position was in Bloemfontein. The greatest pressure of sickness came, I think, in about the second week of May; I was with the troops on the march at the time. For six weeks previous to that time the railway had been running freely, and all these luggage trains and troops had been moving up. Many of us, and, I fancy, many other people in the world, were very much astonished at the long delay at Bloemfontein. I do not say it was unnecessary; it is not for me to express an opinion upon that. All I say is that there was no apparent necessity, and I cannot conceive anybody showing a positive reason, why the general advance from Bloemfontein seven weeks after the troops arrived there should have taken place on the 1st rather than on the 2nd or 3rd of May. My point is that one day's strains on that railroad would have saved the whole position as regards the sick and wounded, and unless it can be shown that there was an imperative necessity for the general advance taking place on that particular day, I think the facts show that the necessities of the sick and wounded were postponed for considerations which were not in any way vital or important from a strategic point of view. I have spoken of what seems to me to have been a very unnecessary delay in sending up the equipment. I am bound to weary the Committee somewhat, because I am dealing with the facts of the case, which are rather full. No. 9 general hospital arrived in Bloemfontein on the 8th April, and the tents were erected. They stood there perfectly empty until the 22nd April, because there was no *personnel* and no equipment of any

kind to put into them. The heaviest parts of the hospital had been brought up; the lightest part was kept back or not brought up for a whole fortnight, although every day the working of the railway was becoming easier. I cannot conceive any reason, except disorganisation, which separated that hospital, which might have contained 520 patients, from its equipment, which was necessary before the patients could go into it. I should be the last to minimise the difficulties of transport to Bloemfontein, and it has been suggested that there were broken bridges and all that sort of thing; but the time with which I have dealt covers a period from the 1st April to the end of May, during the whole of which the railway was open, at first by a deviation, and afterwards over the bridge. From the great number of trains which came up every day to Bloemfontein, and the character of the material which they carried, I myself was more and more astonished that the equipment of these hospitals was not brought up. Now I come to another question. I have spoken of the two general hospitals, one of which came up on the 22nd April, and the other somewhat later. Those general hospitals were capable of holding, in the first instance, 520 patients. I think the limit of 520 which has been applied by the Army Medical Department to a general hospital is a very wise one; I do not think it is advisable to crowd more than that number together in one locality and with one set of tents. But these two general hospitals were stretched to the extent, in one case of 1,500, and in the other, 1,700 patients. No. 8 with 1,500 patients was placed in a good position about a mile from the town, and I cannot speak of it from personal observation, because before I left Bloemfontein it was hardly ready, and I had not time to see it on my way down from the front as I passed through Bloemfontein. But No. 9 general hospital, by containing 1,700 patients, to my mind was a tented city of pestilence. There was no attempt at classification. You had men carried or staggering in, one under a disease called "N.Y.D." and another under a disease called "S C.F." "N.Y.D." means "not yet diagnosed"; and "S.C.F." means "simple continuous fever." These patients were placed one on either side of a typhoid patient. I ask what hope or chance had these two men of escaping the deadly disease of the man between them? In many of the hospitals there was this absence of classification. I do not say that in all cases it was possible, but at least in a hospital where the patients could be placed in separate tents, it was possible, and this want of classification was one of the greatest evidences of the want of management that I saw under the Army medical system there. This hospital had no kitchen; the food had to be cooked outside in pits. It was what is called a non-dieted hospital, which means that it had no special arrangements for making those delicate diets which are necessary to fever patients. At the end of two months after we got to Bloemfontein it had only twenty nurses for 1,700 patients. Of course, it is open to anyone to object to female nurses in military hospitals altogether—that is a perfectly legitimate position to take up; but if you have female nurses at all I am justified in complaining of the number of nurses there were in this and many other hospitals. It is a number founded on the old Army medical theory that a nurse is not to nurse, but is simply to superintend the men in nursing. I do not know exactly the number of orderlies there were in the hospital, but the great proportion of them were entirely untrained private soldiers taken from infantry regiments. I want the Committee to consider for a moment what this means. I do not know that I can put it better than by suggesting that if any hon. Member here had a typhoid patient in his house it would be an absurd thing for him to go into the street and call in a navvy and say to him, "Nurse me that typhoid patient." I do not say that a private soldier who is used as a hospital orderly does not do his best. Of course he does his best. But he has absolutely no knowledge and absolutely no training, and no one will suggest that he has the natural tenderness of touch which would make him any more suited to be a nurse than any other man from the working classes. And a great many of these orderlies—these untrained private soldiers—were convalescents. I protest against the use of convalescent soldiers as orderlies in a fever hospital. What does it mean? It means that a man who has only just got up from a serious illness, who is still ill and weak and unable to concentrate his attention, who wants rest, fresh air, and quiet, is sent back into these fever-

stricken tents to breathe the same bad air and to see these horrible sights, when he is too weak to perform the proper duties of a nurse, and when his faculties of watchfulness and attention are so enfeebled that he goes about his work drowsily, and is really incapable of discharging the duty. All over the hospitals at the front convalescent private soldiers were employed as nursing orderlies, and it seems to me it was a most inhuman practice. If there had been a sufficient number of properly-trained attendants, it would have been absolutely unnecessary. The hon. Gentleman the Under Secretary of State for War said something about my not bringing forward any new matter. I have a great deal more new matter which I think the Committee ought to hear, but I wish to submit myself entirely to the judgment of the Committee. I will be as brief as possible. ["Go on."] I started with the troops from Bloemfontein, but unfortunately, or perhaps fortunately, I did not succeed in seeing any real action. I wanted to see the treatment of the wounded on the field, in order to complete my inspection. I did my best, but with a front extending so many miles, and the enemy not holding any position very strongly, I found it very difficult to find any real action going on. But as far as I could see the ambulances and doctors with the troops while on the march were fairly sufficient. I do not say they were absolutely sufficient, but they were fairly so. However, I do not feel really qualified to express an opinion about that. But I feel bound to state that on one occasion the following incident came to my notice. I heard some firing a few miles off on the left, and some other firing on the right. I went in the latter direction; but on the left there had been a very serious mishap to our troops—the disaster to the mixed squadron composed of Inniskillings and Scots Greys, who were cut up by an abuse of the white flag at a Kaffir kraal. They were only four miles from their brigade. It was known, of course, by their brigade that they were to occupy this position. The action took place at nine o'clock in the morning, and the Boers retired shortly afterwards. But no one came near these wounded soldiers until half-past four in the afternoon. The firing could be heard, and I could not understand why, if the brigade was properly supplied with ambulances and doctors, these wounded soldiers should not have been attended to. As a matter of fact, about half-past four the bearer company of the New South Wales medical contingent came up. I may tell the Committee this contingent is one of the finest specimens of medical service seen in the war. It consists of a bearer company and field hospital, perfectly disciplined and wonderfully efficient. Great use has been made of it wherever it has been, and its units have been broken up and taken in different directions. It is entirely composed of civilians, and the most eminent doctors in Australia are serving freely upon it. The particular officer in command of this bearer company which came to the rescue of these men was a certain Major Eames, who was always, if his own brigade was not fighting, cruising about with his bearer company to assist anybody in distress, and, fortunately, he found these men. He took them to a tin house on the railway, and formed a temporary hospital there. He supplied all the necessaries he could, and then left the men in charge of a medical officer and rejoined his own brigade. I came across these wounded later on. Many of the men were in a very dangerous condition; four of them died that night. Two days afterwards the doctor who was left in charge of these men received an order to evacuate this hospital and send the wounded away, and ox-wagons were sent for the purpose. He was a civilian doctor, and he protested, but his orders were very express. He did, however, insist on keeping three officers there. It seemed to me to be a strange thing that the men who were dangerously wounded —for he did not disguise the fact that the lives of these men were endangered by their being moved — should be taken away from that hospital while officers should be left in it. Of course, I can understand circumstances under which it would be necessary to evacuate a hospital of that sort, but if the doctor was compelled to send the men away while he was allowed to keep the officers, there seems to me to have been some unfair distinction. I now come to Kroonstad. We arrived at Kroonstad on a Saturday. On the Thursday after, an endeavour was made to equip two buildings—a church and a hotel — as hospitals; but there was absolutely nothing to put into them. There were 300 patients,

but there were only two doctors; there were no nurses and no trained orderlies. There were four untrained orderlies in the church with 115 patients, and there were four more in the hotel with about 160 patients. I remind the Committee that I went up with the troops; dozens of other correspondents went up with the troops; innumerable attendants and nondescript people of different positions in addition to the Regular army went up with the troops; why, then, could not doctors and orderlies have gone up with the troops? If, as it has been maintained by the Under Secretary of State for War, there had been a sufficient *personnel* in South Africa, there was no possible reason why that *personnel*, putting aside the nurses if you like, should not have been at Kroonstad on the day we arrived there, ready to take their place in these hospitals. Then we come to the question of equipment—that is to say, beds, and so on. I will not detain the Committee by stating certain facts concerning the beds. There are very light collapsible beds, which can be used in emergencies, hundreds of which can be packed into one wagon. I would suggest that in this matter there has been a great want of prevision and a great amount of obstinacy on the part of the Army Medical Department. They use a tent which is called a marquee, but it was perfectly well known to them from the first that there is another hospital tent, called the "Tortoise" tent, which weighs half as much as a marquee, and yet holds two more patients. The Department knew that transport was going to be the great difficulty—that is the argument of the Under Secretary of State; they also knew that the tents formed more than half the weight of the hospital; and yet they did not take the trouble to provide themselves with the class of tent which would lessen the weight by one-half. I want to make my point quite clear about these hospitals at Kroonstad. We were followed by the army supplies, the transport service, and so on. There was a long train of bullock-wagons, each wagon capable of carrying between 6,000 and 7,000 pounds nett.

SIR HOWARD VINCENT (Sheffield, Central): Not with a convoy.

*MR. BURDETT-COUTTS: My information comes from the head of the Army Service Corps, but it doesn't make much difference to the argument.

SIR HOWARD VINCENT: Never mind.

*MR. BURDETT-COUTTS: I cannot say how many bullock-wagons there were, but I made a calculation that if the army started with rations and forage for five days supply—and I believe that was considered to be the minimum with which they ought to start—there would be something like 360 bullock-wagons in the Army train. Will anybody tell me that a train which contained 360 bullock-wagons could not have contained four or six more for hospital equipment? The proposition is absurd. There is no fixed limit at 360. If the Department had had the prevision to prepare these hospitals for Kroonstad it would have been perfectly easy to obtain the equipment and *personnel*. The great vice, the great fault and error at the front, has been the absence of a proper system of stationary hospitals—that is to say, hospitals which may possibly want tents, but which can generally be put into buildings on the line of march. An army advancing under ordinary circumstances does not leave its communications in danger; therefore the line between the army and its base is a continuous line of stations which are fairly safe, strategically speaking, and in these stations what are called stationary hospitals naturally find their place. On the question of preparation, I want to ask why, in all that idle time after the black week in the middle of December, if this equipment was there, was it not pushed up that 500 or 600 miles to De Aar, the rail-head? If it had been there when the communication was established with Bloemfontein the greater part of the distance would have been traversed, and it would have been perfectly possible and easy to have got that equipment further on. But during that period, as far as I know, nothing was done in the way of moving up any equipment to the front. It is not as if there was any uncertainty about our progress. The way was marked out clearly before us; we knew we were going to pursue it to the end; and certainly the equipment might have been got up to the rail-head, as it then was, in order that when the road was open, the road being practically a railroad, these stationary hospitals could have been established. I saw all through the ultimate result of this neglect of prevision. But I have not done with

Kroonstad. There I saw the patients brought in from the field hospitals. They were carried by untrained hands. They were put down on the floor with no one to attend to them, although many of them were in dangerous stages of illness. The doctors themselves complained bitterly of the want of assistance. In consequence of the absence of stationary hospitals there, or of any proper hospital accommodation, convoys of sick and wounded moved off in ox-wagons—not ambulances, but ox-wagons, the bottoms of which are shaped like a V, so that the men cannot lie flat. I saw convoys of 150 sick men in various stages of illness, and many wounded men, put into these ox-wagons and sent a journey three days and nights over the veldt, with its burning heat at midday and its freezing cold at night, without any extra clothing, without any pretence of medical comforts, without any medical man, without any trained orderlies to accompany them. I saw one of these convoys stop at a station on the railway, and the man in charge of the convoy came to a doctor who was there and said, "I have got a man here who is dying; I have got no medicine, and I do not know what to do with him." The doctor, who knew something of the regulations, and that even under the Army Medical Department it was not only illegal, but a crime to send a convoy of sick and wounded away without a doctor, asked the man, "Are you in charge of these patients?" The man said, "No, I am not in charge of the patients; I am in charge of the list." That was the only attendant sent with this convoy for three days and nights over the veldt, and there was another convoy of 150 sick and wounded who were treated in exactly the same way. ["Shame!"] I do not want to pile on these accounts, but at the same place there was a man came into the house whose history I will tell the Committee. He had had enteric fever; he had been on milk diet for three weeks; he was sent immediately from that to rejoin his regiment. He was sent with a detail, of course by road, and he stopped at this particular place I am describing. As soon as he got on his horse the first day he tumbled off; he tumbled off his horse five times; the next day he kept tumbling off, but the men helped him on again, and he tumbled into this tin house a dead man. He had been sent on this journey to rejoin his regiment after he had been on a milk diet for three weeks, without the slightest rest or period of convalescence. These are incidents which I could go on multiplying, but it is not by my own wish I have already taken up so much time. I will come back to Bloemfontein once more for a moment. This was on the 23rd May. The troops, you will understand, were at Kroonstad. Bloemfontein was perfectly well equipped by that time, except that it was the scene of the pressure of enteric which I have described. On the 23rd May I was informed there were eight wounded men lying on the platform at Bloemfontein station. I went down and saw those men lying on the platform. They had arrived at Bloemfontein after a fifteen hours journey in open trucks, at six o'clock in the morning; they were out on the platform, and there they lay until half-past three in the afternoon with absolutely nobody to attend to them. ["Oh, oh!"] Bloemfontein was as safe and comfortable then as Bloomsbury. The Railway Staff Officer telegraphed at eleven o'clock to the Principal Medical Officer in the town saying these men were there; but no one, doctor or orderly, came near them the whole of that time. Early in the morning there happened to be a hospital train in the goods station close by; some of the sisters heard of these wounded men and went to them, and gave them two tins of condensed milk and a tin of beef-tea, and these were shared by the eight sick men and several others. The station was in full swing; porters, passengers, and so on were walking about, but these men were left unnoticed. Four of them were dying. I knelt down and put my face close to theirs, but could hardly hear their whispers; I tried to get names and regimental numbers. I say that to allow those men to lay there from six o'clock in the morning until half-past three in the afternoon was a disgrace. At last, the ambulance of the Irish Hospital—which is a magnificent hospital, and has the great advantage of having its own transport—came down to the station, and took these men away. I believe that two of the men died afterwards. I do not know that I want to argue the case further with the Under Secre-

tary of State for War. He has given a contrast between the *personnel* in South Africa on the 15th January and that on the 15th June. By the 15th June the tragedy was over. It is no use to quote the number of people there on the 15th June. What I want to know, and what the Committee and the country want to know, is when these people went out. It throws no light on the occurrence to tell us that there were so many people there on the 15th June. My whole point is that we have not been prepared, that there has been no prevision. I think that point ought to have been answered by stating whether, on the 1st March—to take a very easy date—there was a *personnel* in South Africa sufficient for the requirements of the situation. If the hon. Gentleman can tell me that, I, as a loyal member of his party, should be only too glad to hear it.

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): He has told you.

MR. WYNDHAM was understood to say he had not the figures for any particular date, but that he had already given one figure with regard to the 16th April, and that medical equipment and *personnel* had proceeded on the same scale throughout—namely, 10 per cent. of beds to the numbers despatched to South Africa.

*MR. BURDETT-COUTTS: I am glad to have made this point clear. I shall be all the happier if we can localise the responsibility for these deficiencies in South Africa. My own personal opinion is that the fault lay not here, but in South Africa. But I think I was within my right in calling attention to the fact that to contrast the number there on the 15th January with the number there on the 15th June does not really answer the question whether they were there in time. The epidemic and the great pressure was in the month of May. I have come back to Bloemfontein. I will not pause on the long journey between there and Cape Town. With regard to Cape Town, as I found it on my second visit in the first week in June, I have not a very favourable report to make. The two general hospitals at Wynberg had been admirable, and, I think, remained so. The normal number of patients in each was 520, but they had been extended so that at one time one accommodated 1,400 and the other 1,200 patients. The staff and nurses of No. 2 hospital at Wynberg have now been ordered to Bloemfontein, with the result that the twenty-five nurses in No. 1 hospital have now to attend to the 2,000 patients at present in both hospitals. There again, it seems to me, with hundreds and almost thousands of nurses in this country ready and willing and anxious to go out to South Africa, a position of that sort might have been relieved by a little care and attention on the part of the authorities. A Convalescent Home had been established at Maitland Camp, about two miles from Cape Town. I have urged throughout the establishment of Convalescent Homes in order to relieve the hospitals of their patients. I visited that at Maitland Camp, then only just established, and these are my notes. "Saw convalescents in new huts. There are huts erected for 150 men—ten huts—but they are bare and miserable. There are no beds or conveniences, and the men lie in blankets on the floor. How far these men are convalescent I cannot say; I found several of them in bed at three o'clock in the afternoon. The ordinary idea of an Army convalescent is that he is a man fit for duty. I found one of these a man in the Australian Horse, with a very high temperature and quick pulse. He had had enteric and bronchitis, and spoke with difficulty. He had been at Wynberg for a few days, and was then sent on to Maitland Camp. He was formerly at No. 9 at Bloemfontein"—which happens to be the general hospital I described. Another man was suffering from dysentery. He was on a milk diet, and had had no milk for four days. All this was happening within two miles of Cape Town, where every convenience might have been provided. Now, who were these people in charge of? They were in charge of a sergeant—not a trained sergeant of the Army Medical Corps, but an untrained man, himself recovering from enteric. I had a long talk with him. He told me no doctor attended them unless he (the sergeant) went for him. Therefore it was left for this untrained man, knowing nothing at all about medicine, to say whether the man on the floor required a doctor. After a conversation with the man on the floor I sent a doctor to

him, but the sergeant did not know that he wanted one. I afterwards heard that he was dangerously ill. In the same camp there is an institution called the Yeomanry Hospital. I want to distinguish this entirely from the magnificent hospital at Deelfontein, which is one of the best managed and ordered hospitals it is possible to see. The one in Maitland Camp is called the Yeomanry Hospital because it is filled with Yeomanry patients; it holds fifty patients. It consists of one Cape hut with 6 inches of draught under its roof, and six bell tents, one tortoise tent, one doctor, and no trained nurses of any kind, orderlies or otherwise.

SIR HOWARD VINCENT (Sheffield, Central): Has the Yeomanry hospital at Maitland any connection with that at Deelfontein?

*MR. BURDETT COUTTS: It has nothing to do with the Yeomanry hospital at Deelfontein, which, as I have said, is excellent. There is one thing I must call attention to here. There was a hospital at Cape Town, on my first visit, which was a disgrace to any army or any community, called the Woodstock. The building in which it was housed was an old building, condemned over and over again, yet it was taken to be used as a hospital for the troops who arrived from England in the transports sick. Everybody who came off a transport ill was put into this hospital. It was a horrible place, and full of vermin. I will read you a passage from a letter written by a surgeon-general, which appeared in *The Times* this morning—

"As regards the 'Woodstock' Hospital he speaks the truth. The building is a discredit to any Government. When I reported on it in 1894, I stated that it was situated on the sea shore, that close in front one of the main sewers of Cape Town discharged its contents, which were driven back on the beach when the wind set that way, and sent a stench through the wards so bad that it was frequently necessary to close the windows.

"Immediately behind ran the railway. On the right, within a couple of hundred yards, is the military cemetery; on the left some open ground, the resort of the bad characters of Cape Town.

"As regards vermin, I say there were none present during my incumbency, though the Cape Town barracks swarmed with bugs."

Now in spite of its situation this hospital has been taken as a centre to create and establish around it a large tented hospital. Anything more injudicious than to choose such a position, when you have miles and miles of beautiful suburbs around Cape Town, I cannot conceive. I have only one more remark to make. The Under Secretary for War referred to the fact that no other accounts had come home of all these imperfections. I do not think that is absolutely true; but I want to point out to the Committee—and this is a very important point—that we have had a great many favourable accounts of, a great many letters have appeared in the papers from patients in hospitals who have been well treated. But I want to point out that those letters coming from other places dated at other times with regard to favourable treatment can do anything to shake the specific statements which I have made. With regard to the correspondents, when the Under Secretary of State referred to the fact that there were no accounts from the war correspondents, someone interpolated the words "Press Censor." The right hon. Gentleman replied that letters were not censored. All I have to say is that if a correspondent wrote and published a letter showing the sort of thing I have shown, and its purport was telegraphed back there within perhaps two weeks and a-half, I should not envy the position of that man as a war correspondent, the performance of whose duty largely depends upon the authorities whose conduct he might have impugned. There is one other point with regard to evidence. I do not deny it, and I think it is a very good trait in the British soldier — that he is very sensitive with regard to sickness. He does not like to make complaint with regard to his treatment in hospital. In the first place, he is even ashamed of being sick. Then he does not want to be thought namby-pamby, and does not want to be talked about for having made complaints as to his treatment in hospital. It is a sort of *esprit de corps* amongst them. Moreover in the old days there was in the ranks an absolute terror of the authorities in the hospital. I do not know if any such feeling exists now in the Army, but I believe the tradition of it still prevails. Sir, you will get plenty of evidence when men know that it is not unmanly, that it is not cowardly, and that it is not unpatriotic to come forward and tell the truth in this matter; and when they are assured that it is their bounden duty

to their comrades, to their country and themselves, in order that these things may be remedied and may not recur. I have not troubled the Committee with any of the innumerable letters I have received, but I cannot refrain from reading one short letter I received this morning, dealing with this point—

"Dear Sir,—I arrived in England the 10th of this month, being invalided home from Africa, having had enteric. I feel very pleased, and must thank you very much for the plucky manner by which you have exposed the state of things which existed at Bloemfontein. I am one of those that must consider myself lucky in having lived to get back to dear old England, and can give my evidence as a proof of what you have written, for I laid on the ground for three weeks without a change. If you consider my evidence of any use, I should be pleased to give it you at any time; at the present I trust you will keep my name anonymous, as my term of service has not expired and am on sick furlough."

I call attention to the last words. I hope at any rate that this House of Commons, which is higher than any Department or authority in this country, will be willing to see that any such man who comes forward is protected, and that his future is not prejudiced by reason of the story he has to tell. I must apologise most humbly for having detained the Committee all this time. I have not said half of what I wanted to say, but I presume that I have said enough to show that there has been disorganisation, and a want of prevision, and a want of proper management somewhere. I am not myself inclined to think that the blame rests upon the individual *personnel* of the Army Medical Corps; I feel pretty certain that it does not. I am afraid it rests upon a system which is entirely inelastic, and from deficiencies in that system which result in unnecessary want of prevision. I do not wish, and I do not intend, to lay blame upon individuals, or to lay it all upon the Army medical system. I feel myself that the policy which has governed the question of transport has not shown sufficient consideration for the needs of the sick. I cannot but say that; otherwise the whole responsibility would rest upon the Army Medical Corps. To go back once more to the question of evidence, I say with pain that my best evidence lies in South Africa, in the men who are buried there, brave men, many of whom, I believe, if a different system had prevailed, would have returned to their homes and their friends. It has been a notable war. In a few days I hope it will have been a successful war. I do not know whether it has been a glorious war. [Cries of "No, no!"] Yes! It has been made glorious by the bravery of these men on whose behalf I speak here—the men and their regimental officers. But for my part, having seen what I have seen, its darker side will ever be present to my mind. I shall think always of those silent, though not, I hope, forgotten, witnesses, men to whom we can raise but one real monument—the determination that such errors as I have described shall never occur again.

SIR WALTER FOSTER (Derbyshire, Ilkeston): The two interesting speeches to which we have listened to-night have been made in a somewhat different order to that usually adopted in debate. I am sorry that that order was observed. I am sorry for the logical sequence that the hon. Member below the Gangway spoke after the hon. Gentleman the Under Secretary for War. It appeared to me that the hon. Gentleman practically admitted the chief of the contentions that were raised by the hon. Member for Westminster, and, admitting the conditions, he rather pleaded that the difficulty of transport and the enormous distance that had to be covered were an explanation and an excuse for these evils, and in apologising for them intimated that they were unavoidable incidents of a terrible and prolonged war. I cannot admit that the evils described by the hon. Member for Westminster were inevitable. They were, I think, all foreseen, and might have been prevented or provided for, and I make these remarks because I think there would be similar incidents in every campaign if steps were not taken to prevent them. Hon. Members are aware that we lost a large number of officers and men in the Egyptian campaign through enteric fever, but few are aware that the medical officers in that campaign who sent in certificates as to enteric fever were snubbed. This most terrible pest was absolutely kept from the public records, the system of the War Office being to discourage a medical officer who returned a case of enteric fever instead of returning it as continued fever or fever. Knowing that, I was anxious that the Government should take steps to prevent similar action and similar loss of life in the war. I do not think it is the fault

of the Army Medical Corps that these things occur. Every officer of the Army Medical Corps has forces to contend with that are unknown here, and he would be stronger if he had some independent assistance to look into these matters from the outside. The War Office would have done the best thing for the army in Africa and saved hundreds of lives if they had sent to South Africa some independent authority in the shape of a small sanitary commission to intervene between the military commanders and the medical officers on matters of sanitation. The military commanders are of course anxious to do everything they can for the soldiers, and I do not think the losses we have had in South Africa from typhoid fever—the most terrible scourge that armies have to contend with—are due to Lord Roberts. These terrible losses in South Africa must have been foreseen, and anyone who knows anything of the history of such outbreaks might have foretold it. We had an epidemic of it in Ladysmith before it was relieved, and we all remember the letter of Mr. Treves, in which he said he found 800 cases amongst the invested army. We had the greatest stress of the epidemic at Bloemfontein, and everyone who knew the conditions that arose before Bloemfontein knew that within three or four weeks of the surrender at Paardeberg there would be an outbreak of fever at Bloemfontein, for the reason that the soldiers there were obliged to drink the water of the Modder River, poisoned by all the refuse from Cronje's laager. Within three or four weeks there was certain to be an outbreak. The result was that the death-rate from sickness, which in February and the beginning of March had varied between 120 and 90 a week, went up to 180 three weeks after the Paardeberg incident—exactly the time typhoid takes to develop. That figure has nothing to do with wounds. It has simply to do with disease, and it represents a condition of things which any medical man could have foretold.

MR. WYNDHAM: It was foretold.

SIR WALTER FOSTER: If it was foretold, then more preparation ought to have been made. And we would not have had cases of sick men being without doctors, of one doctor having to attend 300 men, of fifteen men being in a single bell tent suffering from a disease which makes their condition so horrible. Anyone knows that with fifteen men placed in a small tent in such conditions, the ground must have been saturated with discharges to such a degree as to make it a perfect pest-house. If that condition of things was foretold, as we are assured it was, then it ought to have been provided for. The same thing occurred after the unfortunate incident at the Bloemfontein Waterworks. The loss of good water entailed the use of bad water, and within six or seven weeks we had the terrible death-rate of 370, as compared with 90 in the early stages of the campaign. And only when the troops were moved out of Bloemfontein and went northwards to Kroonstad, to find the medical arrangements no better there, but the sanitary conditions less poisonous, did we find the general mortality becoming less. In this disease the conditions always become better when you change camp. In the old days the Romans prevented the spread of fever by changing camp frequently. One of the great causes of the mortality was the detention of the men at Bloemfontein drinking the contaminated surface water. I have said that if we had some means of bringing pressure to bear on the authorities such as I have described, the foresight which did exist amongst the medical officers might have received more attention and they might have had more done in the way of giving relief to the sick and suffering who were placed under the conditions so graphically described by the hon. Member for Westminster. All that the hon. Member had said has been practically admitted by the Under Secretary for War, and it has been confirmed from other sources. Not long since, Mr. Bowlby, of St. Bartholomew's Hospital, who was in charge of the Portland hospital, in South Africa, wrote home that, in spite of utilising many public buildings, the field hospitals rapidly became overcrowded, so that they had to accommodate three or four times the number for which they were equipped, and it became impossible to treat or nurse the patients satisfactorily. Of all maladies, the one that requires not only space and pure air, but careful and constant nursing, is enteric or typhoid fever, and I think it is the highest compliment, not to the arrangements, but to the salubrity of the South African climate that the mortality has not been greater. If we had had the patients in

England under the same conditions of overcrowding in a pestilential atmosphere the mortality would have been much greater. Then we have had further confirmation of the statements of the hon. Member for Westminster from Surgeon-General Hamilton in *The Times* of to-day. Surgeon-General Hamilton was at one time principal medical officer in Cape Colony, and he stated that the criticisms of the hon. Member carried on the face of them evidence of their truth. So that we are bound to accept these statements as giving a fairly accurrate account of the horrible conditions which had existed among our soldiers in South Africa. Seeing that these things were foretellable, and that they were foreseen to some extent, I do not think we have had any adequate explanation of why they were not provided against. If trains could run up in the manner they did with general supplies, surely some could have been taken to provide medical necessaries for these unfortunate soldiers. I do not think that the record which the hon. Gentleman gives us as to the cause of that state of things is satisfactory. The hon. Gentleman has said he is satisfied that in no previous campaign had the sufferings been more mitigated. I do not think we can admit that with reference to the sufferings of those whose condition has been described by the hon. Member for Westminster; but the mitigation of suffering is a totally different thing from the death-rate. He tried to make out that the death-rate being low, there was mitigation of suffering, but we have incontrovertible evidence that the suffering was such as has been described. But if we go into the question of death-rate we find that even that is not altogether satisfactory. According to Lord Roberts, the death-rate in this campaign from enteric or typhoid is 21 per cent. In the Nile campaign, where there was the same painful lack of foresight, the same lack of nurses and of provision for hospitals, it was 28 per cent.; but there we had the disease occurring under climatic conditions very much less favourable than those which exist in South Africa. In Natal itself, when we had an epidemic of this disease a few years ago, the death-rate was only 16 per cent., which is considerably less than in the present campaign. Speaking generally, the death-rate from this disease throughout this country is only from 12 to 16 per cent., or possibly 17 per cent. in the case of the worst epidemics. But the comparison of all these death-rates is full of fallacy, because no two typhoid epidemics have the same death-rate. It varies from year to year, and from season to season. And therefore, though it is higher than it ought to be, it is difficult to make a comparison with what it should have been under proper conditions. I believe myself that if these unfortunate people in South Africa had been nursed and cared for properly, the death-rate might have been reduced from 21 to 12 per cent. I stake my professional reputation on the statement that under these favourable conditions the death-rate might have been lessened by nearly one-half. We have also had evidence, which has not been contradicted, as to the inadequacy of the provision of hospital accommodation. The hon. Gentleman says that the War Office provided beds for from 8 to 10 per cent. of the total force of the Army in South Africa. On this question there is some difference of opinion amongst sanitary authorities. In this case the difficulty was that the 8 or 10 per cent. of beds was not on the spot when they were wanted. If they had been the overcrowding and mortality from disease would not have reached the pitch it did at Bloemfontein. Professor Parkes, the greatest authority, said that more than 10 per cent. was wanted for the sick and wounded in a time of war, and Professor De Chaumont placed it at 25 per cent. I am sure myself that the proportion of 10 per cent. of beds is not an adequate provision for the amount of sickness likely to be engendered in the conditions which exist in South Africa. There is another point I would like to mention. The mortality from this disease in South Africa has been less than in many previous campaigns, but it has been greater than it was in previous epidemics in Natal, and I think it is greater than that which occurred during the Spanish-American War, in which every man among the American troops practically went into hospital twice during the campaign. The admissions to hospital were over 2,000 per 1,000. In one of the most disastrous campaigns in recent history, that of the French against the Hovas in Madagascar, the mortality from typho-malaria was less than amongst our troops in South Africa. I want to point out that this condition of things is preventible. The late Dr. Parkes, the

highest authority we had in this country, more than once said that this disease could be prevented. I cannot do better than read his words—

"Enteric, or typhoid, fever ought certainly to be prevented in a camp, and recent experience in Afghanistan, South Africa, and Egypt shows what ravages enteric fever can make, and how rapidly it becomes generated and spreads in camp, especially when the men are mostly young."

Then he says—

"This is certainly due to improper hygienic measures."

That is written in the leading text-book by the highest authority in this country, and I say one of the first duties of every administrative body connected with the health of the Army is to foresee and to prevent an outbreak of that disease. I believe that if the Government had shown more foresight in this matter the lives of hundreds of those gallant fellows who went out to fight our battles might have been saved. My opinion is that the evil has arisen from the cheese-paring policy of the War Office in regard to the Army Medical Department in years gone by. They have been cutting it down and interfering with it in many ways, making the service unpopular and reducing it below its proper strength. One of the late directors general of the Army Medical Department, Sir Thomas Crawford, laid it down that 890 medical officers was perilously low for a peace establishment. We have heard to-day from the hon. the Under Secretary for War that when we are approaching the conclusion of the war we have not 890 medical men in the service, and yet we have a larger army in the field under the colours of the Queen than ever within the memory of any man in this House. I say that that is a cheese-paring policy, and that it was bound to bring with it the disasters which had resulted in the terrible ravages of disease exposed by the hon. Member for Westminster, and which have even been admitted by the Government. I hope the policy of the Government will be changed, and that they will provide against these things in the future. The hon. Member has said nothing about the suggestion made by Lord Roberts, that some Commission should be appointed now that the injury has been done. Even now such a Commission might do good. I hope to hear before the debate concludes that there will be an inquiry.

MR. WYNDHAM: I said so yesterday.

SIR WALTER FOSTER: We have not heard it to-day.

MR. A. J. BALFOUR: Once is enough.

SIR WALTER FOSTER: I hope we will hear more details on this point before the close of the debate.

SIR HOWARD VINCENT: I ask the permission of the Committee to say a few words on this very important matter. I only do so because, when in South Africa for three months this year, I did my best to make myself acquainted with all the arrangements for the sick and wounded. I admit I was not so long there as the hon. Member for Westminster, and that I went no further north than Paardeberg; and therefore I cannot enter into his criticisms in regard to the hospitals at Bloemfontein or Kroonstaad. I am quite sure that Lord Roberts will weigh all the hon. Member's statements with the utmost care, and do everything he possibly can to ascertain the exact truth. I am sorry to say that the hon. Gentleman seems to have seen everything in South Africa through the darkest possible spectacles. [HON. MEMBERS: Oh, oh!] We have heard nothing but the most harrowing details it was possible for him to give to the Committee.

*MR. BURDETT-COUTTS: May I call the attention of the Committee to the fact that I published a series of articles, six of which have been devoted to presenting to the public the most favourable possible picture of the work done by the Royal Army Medical Corps?

SIR HOWARD VINCENT: It is greatly to be regretted that the hon. Member did not sign his name to these articles in the same way that he has done to the very violent article which appeared in *The Times* of the day before yesterday. It is only now we are able to know who is the author of the

previous letters. All that we have to deal with to-day has nothing to do with anonymous letters, but only with a signed letter, and the speech which the hon. Gentleman has made to the Committee this afternoon. I have no desire to do any injustice to my hon. friend. I am sure he is actuated by the very best of motives, but I am not exaggerating when I say that he has presented to us a very dark picture of what he has seen.

*MR. BURDETT-COUTTS: At Bloemfontein.

SIR HOWARD VINCENT: The hon. Member gave us harrowing details about other hospitals at Cape Town, at Maitland, and of the Yeomanry hospital, which I know quite as well as he does. I am not going, however, to enter into any personal controversy with him. All I desire to do, if the Committee are kind enough to allow me, is to give the result of my observations at the hospitals I visited. I may be wrong, or the hon. Gentleman may be wrong. The Committee have heard the hon. Gentleman. I will give the other side of the picture, I hope with moderation, and without any exaggeration or other desire than to lead the Committee to a right conclusion on the point. I was interested in this matter on several personal grounds. I quite recognise that in every campaign of late, and every civilian in the country will admit it, much has been done to mitigate the horrors of war. Within a few hours of my arrival in Cape Town I called on Surgeon-General Wilson. I found in him a man of great energy and activity, of warm sympathy, and without the slightest prejudice or desire to be bound by red tape, or by any system which could possibly improve the condition of affairs. Although I had no introduction to or previous acquaintance with him, he said to me—

"Go everywhere and make inquiry. You can go into the hospitals at any time, and every information that can possibly be afforded is at your service, and if you desire to see me again you can do so."

He gave written authority to visit the large base hospitals and a considerable number of stationary and field hospitals. I visited the hospitals at Cape Town, Pietermaritzburg, Ladysmith, Kimberley, and elsewhere. This was in February, and it would be very surprising if from that time they had gone so much to the bad as the hon. Member for Westminster would lead us to imagine. I do not think that anything could possibly be better than the provision for the sick and wounded during the month of February, when I was visiting the different hospitals. On 27th June the hon. Member said there were in South Africa two plagues, the plague of blindness and the plague of whitewash. I do not think I am quite blind, and there is no reason whatever why I should lend a hand at whitewashing. I do not think I have ever shown in speech or otherwise any desire to stifle inquiry. On the contrary, I have determined to do everything that possibly can be done to enforce the lessons of the war. No one would say that the Army Medical Department is absolutely perfect. There is some truth in the statement of the hon. Member for Ilkeston that there has been too much cheeseparing in the past. But that is not a matter for which the present Government is responsible, any more than their predecessors. In a way they have not attracted the very best students from the medical schools into the Army; but no one could possibly exaggerate the heroism the Royal Army Medical Corps have shown under fire, their devotion to their duty, and their desire to do the best they possibly could under the circumstances. A great deal has been done lately to improve the position of the officers of the Royal Army Medical Corps. They have been given increased pay and allowances and the titular rank which they have been wanting for a very long time. It was pleasant to hear from the officers of the Royal Army Medical Corps in all parts of South Africa that they were perfectly satisfied with their condition, and the consideration given to them, not only by their equals in the combatant branch of the service, but by the general officers and others in authority. There are many things that may be done to improve the knowledge and ability of the Royal Army Medical Department. They ought not only to be encouraged, but they should be obliged to attend for a certain number of months some modern metropolitan hospital in order that they should keep up to date. I have been informed by a registrar of an hospital, an officer who sucked the poison from the

throat of an enteric patient, that there is no such thing as military surgery. It is an emergency surgery, and the Army Medical Department should keep itself up to date. In this war the Government invited and accepted the services of Sir William MacCormac, Sir William Stokes, Mr. Treves, Mr. Cheyne, and other distinguished surgeons who were sent out to assist the military surgeons. Then 400 civilian surgeons were attached to the Royal Army Medical Corps. These had rendered the greatest possible service in performing many wonderful operations and superintending others which were thought almost impossible a short time ago, and they had given the greatest comfort and assistance to men who were suffering. I believe that those gentlemen are better aware of the state of affairs in South Africa as regards medical matters than any man without any personal experience of them. I saw the hospitals myself and the way in which the medical corps did their work, and when I heard from Sir William MacCormac that things were working perfectly, I believed him, though I had not seen everything, and if anybody is wrong in this matter it is not myself, but rather the hon. Gentleman the Member for Westminster. With regard to Lord Roberts, whose name the hon. Gentleman mentioned, everyone who is acquainted with him knows perfectly well that there is nothing so dear to his heart as the care of the sick and the wounded. He never arrives at a base without inspecting the hospital, and he does not go with a large staff with great form and ceremony; he goes without any ceremony and converses with individual patients, sitting on their beds and doing his best not only to encourage the sick and wounded, but also to repair or remedy any defect which he sees in the organisation. In a few days Mr. Cheatle will arrive from Lord Roberts's headquarters; he had charge of the hospital in which were the worst cases. In those cases Lord Roberts took the greatest interest, and from Mr. Cheatle I heard that the first question Lord Roberts put to him at Paardeberg was, "What do you think of the condition of the transport of the wounded from Paardeberg to Modder River?" Everything that Lord Roberts could do to mitigate pain and suffering throughout this campaign he has done. I greatly regret that my hon. friend the Member for Westminster did not take the obvious and proper course when he found this condition of things existing at Bloemfontein and Kroonstad, and seek an interview with Lord Roberts and tell him of the state of things that existed. He did not tell us that he waited on Lord Roberts.

*Mr. BURDETT-COUTTS: I did. I called on Lord Roberts the day after I arrived at Bloemfontein, and I made two other attempts to see him.

Sir HOWARD VINCENT: You never said so.

*Mr. BURDETT-COUTTS: And at Kroonstad I wrote to his military secretary, Major Cowan, a letter, bringing forward the defects which I had seen, and suggesting remedies. When I got back to Bloemfontein I wrote to the same gentleman another very strong and long letter.

Sir HOWARD VINCENT: I am in the recollection of the Committee, who will recollect that the hon. Member never said anything of the kind; therefore I have done a considerable service to the hon. Gentleman in giving him the opportunity of saying so. But I cannot conceive that Lord Roberts, who is accessible to everybody and anybody, would not see him. I am sure that any representations from the hon. Gentleman would be received with prompt consideration, and I cannot understand how it was that the hon. Gentleman failed to see Lord Roberts and put these matters right. Did he see Surgeon-General Wilson and tell him the result of his personal observation?

*Mr. BURDETT-COUTTS: Over and over again.

Sir HOWARD VINCENT: Then perhaps this accounts for the fact that at the very time the hon. Gentleman wrote this letter in Cape Town Surgeon-General Wilson was in Bloemfontein seeing to these things. I have had extreme difficulty in arriving at the truth in this matter. Although I am personally acquainted with hundreds of men in South Africa, I have not seen a letter of complaint as to treatment in hospital. One thing is pretty well known, and that is that if I had received any complaints I

should have sifted the matter to the bottom; but I have not received a complaint of any sort or kind, though I receive letters from the front by every mail. The Lord Mayor of London has received no complaints; but the difficulty of arriving at the facts of this matter is illustrated by this one fact. I heard of two men who had been invalided home, and I telegraphed to them to see me here to-day. One man said that he only saw the doctor once for five minutes during the seven weeks he was in the hospital, whilst the other, a man who came home in the same ship, and who was in the same hospital at the same time, said the doctor attended regularly in the morning and in the evening. That shows the Committee the extreme difficulty of arriving at the truth. It does not do to take hearsay evidence in this matter. Why, I heard of one complaint of an enteric patient that all the food he got was a little milk and soda. I have had enteric myself, and everybody knows that that is the only diet you can have. The complaint went on to say that the patient would have starved unless he had been fed by those who were well. Everybody knows that the result of giving solid food to a typhoid patient would be almost certain to be fatal. With regard to the attendance, this man said there were no nurses. It was true there were no female nurses, but there were male attendants, and he thought the majority of the men preferred them to female nurses. That is only individual opinion, of course, and I only quote it as such. I then asked him if he had any complaint to make, and he said, of course, it was not comfortable, they were on the ground; but that he recognised the difficulty of the authorities, and did not complain. That is the evidence of individuals who have no interest in disguising the truth. There are hon. Members in this House who have had relatives at the front; some, to their great sorrow, have lost them. Is it likely that the relatives of hon. Members would not have written to them as to the condition of affairs if it is so black as is represented? Amongst them is the son of a Cabinet Minister. Is it not certain that he would write and complain? There have been passing through the hospitals 1,500 or 1,600 officers, and is it likely, if this condition of things existed, that they would not have written to Lord Lansdowne asking for an immediate inquiry? I do not wish to cast discredit on the observations of the hon. Member for Westminster. He has been actuated by the best of motives, but he has trusted too much to hearsay evidence.

*MR. BURDETT-COUTTS: No.

SIR HOWARD VINCENT: Then he has trusted too much to appearances, and has not perhaps made sufficient inquiry into the origin of things. At the same time, I am sure his only desire was to bring about the best conditions possible in the treatment and care of the sick and wounded. I am certain that every officer of the Army Medical Corps would spare no effort to bring those conditions about. If such a state of things as the hon. Member has depicted existed it would be the duty of the Government, and I am sure the Commander-in-Chief would not shirk that duty, to find out who was responsible. The Government have been charged with want of foresight; it has been said that they ought to have foreseen the epidemic at Bloemfontein; but I have been told by one who lived in Bloemfontein that a more salubrious town there could not be, and I do not think anyone could have foreseen such a thing. No one could have conceived such a state of affairs as I saw at Paardeberg, with the river filled with putrefying corpses. Everything in this war has turned out differently to what was expected, and if there has been any lack of foresight which stands conspicuously before the country, it is that of the Leader of the Opposition and those who support him. He has published statements to the country, and the country will be able to judge whether everything has been done which it was possible for the Government and private munificence to accomplish. I hope my hon. friend, instead of writing sensational letters and making sensational speeches, will devote his abilities and leisure to improving the condition of affairs and doing all he can to provide for the better care of the sick and wounded.

*SIR CHARLES DILKE (Gloucestershire, Forest of Dean) said that if the conduct of the hon. Member for Westminster was open to any charge, it was not the charge which had been made by the hon. Member who last addressed the Committee. He believed that the

result of the inquiry would be to show that the circumstances which the hon. Member for Westminster had pointed out as existing on one portion of the line of advance existed on at least two other lines of advance. The last speaker had made an unfair attack on the hon. Member for not having signed the letters in *The Times* except the last letter but one. He knew nothing of the circumstances in which those letters were produced, but he pointed out that the earlier letters were mainly in defence of what the hon. Member had seen. It was therefore rather honourable on the part of the hon. Member that when he had to make definite charges and attacks he should have promptly added his name to the letter. The hon. Member for Sheffield attacked the hon. Member for Westminster for having brought a charge against the management of the hospitals at the Cape. Of all the heavy charges brought by the hon. Member against the Army medical system, he thought that the charges with regard to the Cape were the heaviest of all, because none of the excuses necessarily made as to the limitations imposed by Lord Kitchener on transport prevailed here. When Lord Rosebery took the chair at the dinner in April he said that "our medical and hospital service has been perfect," and he proceeded to give the whole credit for that perfection to the Government which had organised the system. But those hon. Members who for years past had called attention to the deficiency of the system had shown that a breakdown would occur. At the time Lord Rosebery thought our system perfect the epidemic of enteric had not reached the high level now known. But we did know of what occurred at Intombi camp and Stormberg, and when the inquiry was held it would be found that the same facts which had been alleged with regard to Cape Town and Bloemfontein had also to be alleged with regard to General Gatacre's line of advance, and he thought the inquiry would also reveal that the breakdown had been general. Now, of course, war was always horrible, but the unnecessary horrors of war which were easily preventible naturally and properly shocked the public even more. In his opinion the hon. Member for Westminster had proved beyond doubt that in the rapid advance Lord Kitchener cut down unduly the transport for the sick, and as regards Cape Town the absolutely preventible suffering which had been described would also shock the conscience of the country. He did not charge the War Office with a policy of direct concealment, but he must say they seemed not to want to know too much. Personally he had asked questions of the Under Secretary of State for War with regard to circumstances which were well known to himself on information which he had from sources beyond all question as to the very horrible state of things prevailing at the Intombi hospital. The answers to these questions showed disinclination to press for reports or to obtain information. He had asked specifically about Intombi Camp. It was claimed in *The Times* that day, in a letter from one high in the secrets of the medical service, that that camp was placed under the charge of the best man they had got, and that that man, having done so well there, was then sent on to Bloemfontein and was responsible, as he understood, for some of the hospitals described by the hon. Member. The organisation of the medical department of the War Office had been year by year before the House, and the complaints made had turned mainly on the shortness of supply of trained orderlies, which had been the definite cause of the breakdown in this war. They had never been told in Parliament of the nature of the working arrangement established between the Government and the Red Cross Society. He understood from what he had heard that there was a working arrangement in imitation of the Prussian system. They were told that these breakdowns had occurred in all previous wars. He would point to the circumstances of the last war in which the Prussian army engaged. In 1870, after fighting two days, separated only by one day (16th—18th August), the losses were gigantic. The Prussian losses were greater than the French. There were actually 40,000 men, partly French, brought in by the Prussian ambulances in fifty or sixty hours, and under the joint system in operation for the treatment of the wounded there was not the slightest hitch. The system worked like clock-work and nothing went wrong. That was a case of perfect organisation in a successful war. Afterwards in the beaten French army, with a confluent smallpox epidemic to deal with, there was equally no break-

down until the snow began. In the case which had been referred to by the hon. Member for Westminster, and also by the hon. Member for the Ilkeston Division, the circumstances ought to have been absolutely foreseen. It was not like the outbreak of smallpox in France. It was a case where enteric fever was to be presumed to exist on a large scale, as was shown in the Report of the Army Medical Department for 1898, and the figures there given of mortality at Ladysmith before the war and with a small garrison, and the statement specifically made that enteric fever in South Africa was assuming grave proportions, especially in Natal. It was associated with polluted soil and the pollution of the Klip River. The utter breakdown at the Intombi Camp was, in his view, an even greater scandal than the facts revealed by the hon. Member for Westminster. The Under Secretary said that Sir George White was not responsible for that camp, but it was a camp for which the British military authorities were responsible, and they held at least one court-martial in regard to the proceedings which took place there. In the hospital at Intombi robbery took place on an enormous scale. Stimulants were stolen and consumed, and the tinned milk on which the lives of the typhoid patients depended was also stolen and sold. He ventured to say that deaths which occurred among the typhoid patients in the Intombi hospital in the latter portion of the siege were directly due to the robbery of the stores at the commencement of the siege. One court-martial was held, and one man was reduced in rank and sentenced to imprisonment. Although an opponent of capital punishment, he should have been glad if the man had been shot, because the shooting of a man or two for such offences was likely to do good to the British Army in time of war. It was likely to show people as nothing else would the great dishonour of offences of that kind, and that they were not to be allowed to go on in future campaigns. They could not insist too strongly on good management in these matters on which the lives of our soldiers depend as much as on military skill pure and simple.

COLONEL KENYON-SLANEY (Shropshire, Newport) said that as one interested in the welfare of soldiers, he had a feeling of sympathy with anyone who showed up a system under which soldiers suffered. He had at the same time a great disinclination to go against anyone representing properly-constituted authority. He approached this question, therefore, with no intention whatever of finding severe fault with the hon. Member for Westminster, who had apparently been actuated by good intentions. He thought the hon. Member for Westminster had in some measure damaged his own case. Instead of confining himself simply to pointing out the state of things that existed during the short period that he was at Bloemfontein, the hon. Member seemed to find it necessary to attack the whole conduct of affairs by those in supreme command in South Africa, and some of them were driven to choose between his opinion and that of Lord Roberts and those who acted under him. The hon. Member had, he thought, mistakenly chosen to suggest that a great portion of the administration of affairs there was wrong, and that things were done that ought not to have been done. Although he sympathised with the hon. Member in his desire to see everything done for the sick and wounded, he must say that he would prefer the dispositions of Lord Roberts to those of the hon. Gentleman. He did not understand exactly what was the position occupied by the hon. Member. It would add very much to the difficulties which surrounded the Commander-in-Chief if he was supposed to be at the beck and call of every itinerant sightseer who went to the front.

*MR. BURDETT-COUTTS: My position was that of special correspondent of *The Times*, not entitled to use the military wire.

COLONEL KENYON-SLANEY still failed to see how the commanding officer was not to have his action considerably hampered if he was supposed to be always at the beck and call of even a correspondent of *The Times*, or of any other amateur, whether male or female. The Government had not disputed the fact that at Bloemfontein for a certain time there was a sad and grievous breakdown of the hospital arrangements, but they had explained that it was unavoidable, in consequence of there being but one line of communications. Unless they were in a position to say that Lord Roberts should have post-

poned the bringing up of men, guns, and supplies until the hospital stores were brought up, they were not justified in challenging the defence which the Government had made. The outburst of fever at Bloemfontein could not have been prevented by the hon. Member for Ilkeston, or any other member of his profession, unless, indeed, they had been able to prevent the Boers from throwing their dead into the Modder and to undertake the sanitary arrangements around Paardeberg. That and that only would have prevented the outbreak of enteric fever at Bloemfontein. That should be borne in mind in dealing fairly and properly with this question. Let them by all manner of means take steps that errors and mistakes do not occur again, but do not let them be misled into the idea of thinking that in any campaign it would be possible under all circumstances to prevent entirely such a condition of things as took place at Bloemfontein. Unless they provided more than one line of communication, and made the base much nearer where they wished to use the supply, they must and always would be face to face with possibilities of some such unfortunate occurrences as those at Bloemfontein. His hon. friend the Member for Central Sheffield laid considerable stress on the divergence of testimony on these points. He thought the Committee would be pretty well satisfied that with the best endeavours in the world they would not be able to arrive at a definite conclusion. The wife of a well known and esteemed Member of the House had been very much before public notice lately on account of the part she had taken in the working and organisation of one of the hospitals sent out to South Africa. That lady had been speaking at a gathering in her own county, and her remarks formed a curious commentary on the speech of the hon. Member for Westminster. [Cries of "Name!"] He referred to Mrs. Bagot. She said—

"At the time of the epidemic at Bloemfontein she could not estimate fewer in the hospitals than 5,500 patients, and it was almost impossible to cope with such overwhelming numbers. There was one general hospital for 500 beds which had 1,700 patients crowded into it; another 1,600. The Portland Hospital had to stretch out its numbers from 100 to 150, and all other voluntary hospitals in the same proportion. One field hospital, intended for 100 men, to her certain knowledge at one time had over 400 patients, lying mostly on the ground. But what could they do in a place where the only communication was a small railway line, by which everything required at the front, including food, horses, and men, etc., had to be brought? It was amazing that Lord Roberts was able to provide food for his men and horses during the whole of that anxious period. Despite the sufferings of the wounded and the sick, she never heard so much as a murmur or a complaint. As to the Government hospitals, they had done magnificent work. The staffs were simply untiring and devoted, and the patients were in every case as well looked after as was possible."

He thought he was justified in reading that expression of opinion from a fairly competent authority. [An HON. MEMBER: It is corroboration.] He joined issue with the hon. Gentleman opposite. He considered contradiction what the hon. Member considered corroboration. It had been shown that as far as human foresight could go every possible effort was made to deal with these matters. It was clear that the relatives and friends of those engaged in the campaign had no right to accuse the Government of any lukewarmness.

*DR. FARQUHARSON (Aberdeenshire, W.): I am very glad that we have had this debate, but I am bound to say that it has been to me a very sad and painful one, because I had looked upon the Army Medical Department work as the one bright spot in the many dark clouds which have passed over our military operations in South Africa, and it is a great and grievous disappointment to me to find that there has been this breakdown, assuming, of course, that the statements of the hon. Member for Westminster will bear the test of the examination to which they will be submitted. I am very glad that the First Lord of the Treasury was able to accept the idea of sending out to the seat of military operations a band of skilled physicians and sanitarians who will be able to give that substantial aid to the doctors out there which I think they require in order to hold their own and to meet the military necessities of the moment. My hon. friend has confessed that there have been grave drawbacks and difficulties at the front, and we hope, therefore, that this inquiry will be made a full, complete, and searching one, and that they will be able to put the saddle on the right horse. The hon. Member for Westminster has brought a series of indictments against the Army

Medical Department in South Africa. In a speech of two hours duration it is quite impossible to grasp the situation, and those of us who have not been to South Africa are not able to give an opinion as to how these things are working. I am bound to say, in justice to the Army Medical Department, that in spite of all these difficulties and complications, it is only right that we should judge them by results. The Under Secretary of State for War has stated to the Committee the very remarkable results in the case of typhoid fever. He has shown that the death-rate amongst enteric patients was only between 20 and 21 per cent., and I may say that that would be considered a fairly good ratio of success even in a London hospital, provided with all the attributes of modern civilisation; but out in South Africa, with bad sanitary conditions, no beds, and very little comfort, with everything going wrong, and with all the conditions of treatment considered by medical science to be necessary, we have better results than have ever before been attained in any large campaign, and the rate of mortality compares favourably with our military hospitals at home. I think the success which has been attained in this respect is truly remarkable and very creditable to those concerned. We have to remember the serious injury which expansive bullets had inflicted, for the use of these bullets by the Boers has been proved beyond doubt. I think that the ratio of success of from 90 to 95 per cent. in the treatment of the wounded is a testimony to the devotion and skill of the Army Medical Department. Much of this success has been due to the skilful way in which the first dressings were carried out on the field of battle. Of course the further treatment and dressings had to be carried out not only by the medical staff but by the skilled surgeons whom my hon. friend and his colleagues have sent out to the seat of war. I take exception to some of the statements contained in my hon. friend's letter. The hon. Member for Westminster has sneered at the opinions expressed by Sir William MacCormac and Mr. Treves at the dinner given in their honour when they came back to this country, after an arduous campaign. We are bound, I suppose, to admit that certain difficulties have occurred in the management of affairs out in South Africa, and what we have to consider is who is to blame and how much of what has happened was avoidable. I am very glad that my hon. friend has paid a tribute to the devotion of the Army Medical Department. These men had to go out on the field of battle night after night, and I hope this House will recognise in every possible way that whoever is to blame, at all events the doctors on the spot, who were short-handed and working under very difficult conditions, are not in any way responsible for the condition of things which we all so much deplore. We have to find out exactly how the matter stands. The right hon. Gentleman the Member for the Forest of Dean seems to think that the Medical Department ought to have foreseen the awful conditions under which the troops have been obliged to serve, and the dangers of typhoid fever. If the water was contaminated with putrid masses of festering humanity typhoid, under those circumstances, would be unpreventible. I cannot free the Government from blame for not having foreseen the overwhelming possibility of a thing of this kind taking place, and for not remembering that a pestilence of this kind often dogged the footsteps of an army in the field. This outbreak of typhoid fever, although inevitable under the circumstances, might have been met a little more actively, and there might have been a little more completeness and elasticity in the arrangements made. I believe that the Government have sent out ample stores, but there has been a want of organisation in the distribution on the spot. It seems to me to be something like what occurs during an Indian famine—there may be plenty of corn in one place, but because there is none at all in a certain spot the people starve. No doubt part of these disasters may be due to a very old cause, and that is that commanding officers have not always taken the principal medical officer into their confidence as much as they might have done. Upon this point I might go into an historical retrospect, and I could show how the medical arrangements in one war completely broke down because the principal medical officer was not taken into the confidence of the commanding officer. I may be wrong in this instance, but such things have happened in the past, and it is just possible that a similar reason may apply in the present

case. The right hon. Gentleman the Member for the Forest of Dean, and other hon. Members in this House, have repeatedly brought up the question of the undermanning of the Army Medical Staff. They have repeatedly complained that the Army Medical Department has been too hard worked, and that they do not get that opportunity of studying which is necessary in order to keep them acquainted with the modern conditions of medicine and surgery. The refusal to thank the Army Medical Department for what they did during the Soudan War stung them very deeply, for not a single word of appreciation was expressed for the work which they had performed. Lord Roberts sympathises deeply with the sick and the suffering, and he has expressed his enthusiastic desire to do the best he can for the soldiers suffering from disease in the field. My opinion is that, whereas the military authorities at the War Office underrated the fighting capacity of the Boers, they also underrated the fighting capacity of enteric fever. Enormous possibilities might arise during a war in a country like South Africa, although there are a good many extenuating circumstances connected with the question under discussion. I should like to think that all they do is for the best, and I quite believe that all the preparations made here by the director-general were good, but muddling took place in consequence of want of organisation out at the front. How far this was due to the military exigencies under which the chief of staff took the transport which ought to have gone to the doctors we do not know, but the enormous extent of the country and the rapidity of Lord Roberts's movements are, I think, extenuating circumstances which may induce us to take a different view from that taken by my hon. friend the Member for Westminster. The mobility of the enemy in South Africa and the extent of the country has not been perhaps so fully appreciated as they ought to have been by those who made the arrangements for the campaign. But however that may be, and whatever may be said about the arrangements, I want to say the doctors out there have done good work and have done the very best they could under very difficult conditions; and not only this, but they have attained a measure of success, both on the medical and the surgical side, which is absolutely unprecedented in the history of warfare, either ancient or modern. Whatever the faults may be, or on whoever you may place the responsibility, the doctors have done their work admirably, and in the treatment both of the wounded and of enteric patients they have achieved a result which is absolutely unknown in any campaign of former times. I am glad that we are going to have a full inquiry, and I think the hon. Member has done a public service in bringing this matter forward, although I do not admit many of his statements. The hon. Member says he has seen these things, and all we have to do now is to find out who is to blame, and then we can put the saddle on the right horse.

MR. BARTLEY (Islington, N.): I agree with my hon. friend who has just spoken, that this debate must be, to a great extent, a very sad one to many of us, for we, nearly all of us, have close friends or relatives engaged in this war. A debate which in any way suggests that something has been left undone which might have alleviated the sufferings of those of our friends and near relatives must be a painful matter to consider at the present moment. I only wish to say one or two words, because I happened to be in South Africa when the war commenced, and I saw a good deal of what was going on during the early stages of the war in the Transvaal, the Orange Free State, Cape Colony, and Natal. I think it is idle to say that many mistakes were not made, for many things were left undone which might have been done. But we must remember that a very large war was sprung upon us, so to speak, and I think that it is a pity that we should exaggerate and emphasise those mistakes which have been so forcibly painted by the hon. Member for Westminster. War is a dreadful calamity, and perhaps it is an advantage that it is so, because it prevents nations from freely indulging in it. But after all, it is hardly fair to pick out isolated cases and paint them in vivid colours in the imagination of the public of this country, who are now grieving over the losses they have sustained, without also putting before them the other matters which the hon. Gentleman the Under Secretary of State for War has mentioned. After the rapid march from Paardeberg there is no doubt

things were in a very serious condition, and enteric fever developed largely, as might have been expected. But anyone who, like myself, has travelled from Cape Town to Bloemfontein along the narrow li e of railway, and who considers the enormous effort that it must have been to convey what was absolutely necessary to keep the Army alive, can hardly wonder that during the first few weeks some branches were not served with provisions and other necessaries as well as we should have wished them to be. I travelled over that line myself before the war broke out. It is a very small and narrow line, and there is not only the difficulty of getting things up the line, but there is also the difficulty of getting the empty trucks back again to bring up another load. I agree most heartily that there should be a most careful investigation, not so much with the idea of proving anybody wrong, but of seeing if we can by any possible means, as was suggested by Lord Roberts, do something which may prevent any such sufferings or calamities occurring again. That seems to me to be the great object of this inquiry. When I was out in South Africa I saw one or two incidents, which I could paint and exaggerate, and possibly make as much of as I am sorry to say I think the hon. Member for Westminster has done. But I do think that, in discussing a question such as this, we must bear in mind the whole of the circumstances; and knowing the distance and the difficulties of transport, it does seem to me that we should dwell more upon the brilliant successes of some phases of hospital life at the front than on the mistakes which were made. It is satisfactory to think that in spite of the difficulties of long marches—and I dare say it is quite true that many of the men had no beds, and that appliances were not forthcoming—by the heroism of our Army Medical Department such very remarkable results have been achieved as those which have been alluded to. The hon. Member for Westminster referred to the absence of female nurses. That is a question which I think should be freely discussed and gone into with great care. I think in the early stages of the war enough was not thought of supplying female nurses. The orderly system is, after all, a rough-and-ready system, only justifiable when nothing further can be undertaken. I am glad that the Government are going to send out a Commission, particularly after what has been stated in the public press, because the public ought not to be left as things are with these statements before them. We must remember that if they have not themselves suffered, there is hardly a family which has not lost a member or a friend in this war, and if there has been any culpable negligence which has caused this great loss I think the nation should know of it. I have seen the country and know the distances and the difficulties, and I know Lord Roberts to be one of the most humane generals of the time, and we ought to hesitate in believing that there has been any neglect. The hon. Gentleman referred to a corpse being found in a hospital lavatory. Mentioning such a thing as that gives a certain jar to our feelings; but when one comes to consider it, it is a thing that might happen in the emergency of the moment and not be so bad as it seems to us, and I think to publish a statement of that kind to shock and upset the public in the way it has done was wrong. By all means inquire into everything that has been done, and let us know the worst, though I should have preferred to have waited until the war is over. What we want is that this investigation shall not be governed by vindictiveness in any way, or by party feeling, but solely with the idea to throw a brighter light upon this matter and to learn, if there have been blunders, from our experience in the past.

SIR CHARLES CAMERON (Glasgow, Bridgeton): Many hon. Gentlemen have found fault with the hon. Member for Westminster for exaggerating and drawing on his imagination and drawing lurid pictures of matters which it would have been better to have concealed. I do not agree with that at all. I think that he is entitled to the greatest credit for putting before the public that which he no doubt saw. I am as content to take his statement as to what he saw as I should be to take the statement of the hon. Member for Central Sheffield as to what he saw. One fact which shows the importance of the subject to which attention has been drawn is the question which was put upon the Paper this morning by the hon. Member for York, which showed that 5,000 officers and men died of disease, and that 18,000 were invalided; thus you have 23,000 officers and men put out of

action by disease, and if that is not a fact justifying our attention I do not know what is. The hon. Gentleman the Member for Westminster deserves the greatest credit not only for publicly describing what he saw, but for the facts which he has brought forward here. I believe he described as accurately what he saw as the hon. Member for Central Sheffield did what he saw; but they described different systems under different circumstances. The right hon. Gentleman the Under Secretary for War in this debate said that in January there were 351 members of the Army medical service, assisted by 77 civilian doctors, sent from this country, and he told us that in June there were 456 Army doctors, and that 348 civilians had been sent out, and that other civilian doctors resident in South Africa were added in the later stages of the campaign. Now I do not wish to compare the abilities of Army and civilian doctors, but there is a lot of red tape in the Army. The hon. Gentleman told us that it would never do for a doctor to requisition this or that, he must go through the regular routine; the consequence is that when the Army doctor wants anything he knows where to get it; they can ruffle it with their military brethren and get what they want; but the unfortunate civilian who goes out cannot bring pressure to bear and is put aside. That would no doubt account for many of the difficulties existing to which the hon. Member referred. The Army Medical Department is totally inadequate to cope with our Army when in a state of war. It has been experienced by the Government again and again, and the utmost pressure has been brought to bear on the Government without adequate result. The hon. Member for Westminster in a number of statements, neither sensational nor exaggerated, seemed to me to point out a very grave defect in our system. He told us that in a certain hospital instead of twenty doctors there were only three; instead of, say, a score of trained orderlies there were only two or three, and that the others were untrained men, and he made reference to convalescent orderlies, that is to say men who had just recovered from illness, who were performing a duty for which they were physically unfit, and for which they had had no training, and which, owing to their not being in a good state of health, must have been neglected or improperly performed. Who would imagine that the Army Medical Corps would have the nursing done by such men if they could get better? It shows that the trained orderlies are far fewer than they should be; that every fit man had to be sent to the front, and that the only men they could fall back upon were the convalescents. That could be remedied by a little more expense. There was a remark made that that was due to the deficiency of transport; I make every allowance for that and for the exigencies of war, but I cannot help thinking that it would have been very easy to have spared one cattle-truck to bring in wounded men; but that does not excuse the case of convoys sent down without any medical officer in charge, or even a trained orderly. It does not excuse the management at the Cape. That appears to be the most significant of the charges of the hon. Gentleman, and it seems to indicate that this fault lies nearer home than South Africa. He told us of two base hospitals at the Cape, each of which had a capacity for 520 patients, and that they were overcrowded to such an extent that there were 2,400 patients in them. But that is not all, he told us that the whole of the *personnel* of one hospital had been sent to the front, and that the care of the whole of these 2,400 patients devolved on the hospital staff which was left—a hospital staff which was calculated to cope with 520. This is a case of overcrowding and improper treatment of the sick which might have been excusable if it had been impossible to send up nurses and hospitals, but in this case nothing could have been easier than to have sent out equipment and *personnel* to Cape Town at all events, and to prevent any such undesirable state of things at the hospitals at the base. There has been some discussion as to the merits of female nurses at the hospitals as against the orderly system, and I do not wish to enter into that, but when you have not got trained orderlies female nurses would be infinitely better than untrained soldiers and untrained convalescent soldiers. Typhoid is a disease in which mortality varies enormously; in some cases it is extremely high and in other cases it is exceedingly low. There was an epidemic at King's Lynn some time ago where it was so low that in one hospital amongst sixty patients there was not a single death. That was not attributable to extraordinary medical skill, but to the

nature of the epidemic. It is impossible to compare one epidemic with another.

MR. WYNDHAM: It was compared by the ten years average.

SIR CHARLES CAMERON: Yes, but if you compared the King's Lynn epidemic by that average it would have shown a very good average. There is no disease in which diet is so important, and though it may be said that in the case of a soldier stricken down he cannot receive the same care and attention as he would receive at home, still, if there were less deaths than the ten years average shows, that was not due to better care, but to the mildness of the attack. The right hon. Gentleman must admit that patients treated as these men were must show a larger mortality than would have been the case had they been treated under more favourable circumstances. All that I wish to point out is that nothing that has been said about transport and military exigencies can explain away the condition described as existing at the base hospitals at the Cape. As to attributing these disclosures to any ill-feeling or lack of patriotism on the part of the hon. Member for Westminster, anyone has only to read his letter containing the description of the base hospitals, before he went up country, to find that it was of the most brilliant and glowing description. When hon. Gentlemen look at his letters they will agree that he described what he saw without fear or favour. I trust, without waiting for a formal inquiry, the War Office will ascertain whether this overcrowding exists at the Cape, and will at once take steps to remedy it.

MR. WYNDHAM: We have been in continual correspondence with South Africa for the last three months. These matters are governed by certain principles. Those principles are, however, expansible, and do expand, and we do send out more doctors as required. All we have been asked for we have sent.

SIR CHARLES CAMERON: That is just the kind of official defence with which I am but too well acquainted.

MR. WYNDHAM: Is it an official defence to ask Lord Roberts what he wants, and then to send on what he asks for?

SIR CHARLES CAMERON: Lord Roberts is not at the Cape; he has quite enough to do without attending to the medical details. Here is a case where the whole staff of a hospital has been sent to the front, and the care of two hospitals, overcrowded to an extent which must have taxed the energies of the staff to the utmost, has been devolved on the staff of one. Is it too much to ask not that Lord Roberts should be bothered with the matter, but that the right hon. Gentleman should do what was done in the case of India—telegraph to the person in charge, and see what he wanted.

MR. WYNDHAM: All that has been done. We are in correspondence with the senior medical officer at Cape Town, and also with General Forestier-Walker, and we have done all that is to be done.

SIR CHARLES CAMERON: I do not think that the hon. Gentleman intended to deceive, but I do not think he can have been in correspondence with the person actually in charge. However, in the interests of humanity, a statement of the kind that has been made ought to be inquired into, and if the hon. Gentleman does not inquire into this matter the country will not consider red tape a sufficient excuse for his not doing so.

*GENERAL RUSSELL (Cheltenham) said the question which was now being discussed had been before the country for the past two days, and had caused a shock almost unexampled in this generation. He personally had seen a great many officers and men who had returned invalided to this country, and he possessed a great many friends now in South Africa with whom he was in correspondence, and few had greater opportunities of becoming acquainted with what went on behind the scenes than himself. He might say there was a general consensus of opinion that the hospital arrangements at the commencement of the war had been excellent. Then there had occurred an outbreak of typhoid fever under circum-

stances of exceptional difficulty. He spoke with great sympathy upon the matter, having had some experience of typhoid in a campaign, and no one could read the letter from the hon. Member which appeared in *The Times*, or listen to the statement he had made that evening, without a feeling of the greatest horror. The Committee ought to approach this subject, not in a party, but in a national spirit, and hence he was very glad that the motion which had given rise to the debate had been moved by a Member on the Government side of the House. At the time of the Atbara campaign he drew attention to what he considered were the most defective arrangements for succouring the wounded, but he was met with a denial of his statement, a denial based, no doubt, on insufficient information, because he met men who had been through that campaign, and he found his statements had been perfectly accurate, although they were officially denied. At the time of the Khartoum expedition a great change was made, a large number of additional doctors were sent out, all the appliances which science could devise were despatched, and hence at the attack of Khartoum everything was done to mitigate the suffering of the sick and wounded. He did not think a strong case had been made out on this occasion against the War Office. The hon. Gentleman had stated that more stores were sent out than were required, and he did not think that the War Office, or the hon. Gentleman who sat before him were the persons with whom fault should be found. He thought, however, there ought to be some explanation of how such a lamentable state of things came about, and at the same time he desired to point out to the Committee that the conditions of South Africa were such as to make an outbreak of typhoid fever almost a certainty. All the water for the troops had to be drawn from streams wherein people washed, and into which cattle wandered. At Paardeberg the river was filled with dead men and horses. He remembered perfectly well after the Zulu war, under the most favourable sanitary conditions, the bodies of troops moving about being very small, there were still a number of cases of typhoid caused entirely by bullocks suffering from the rinderpest going into the water to die, and men drinking the water. The water of the streams was so bad that when he was in charge of the military base hospital at Ladysmith he had scouting parties up the stream to see if any bullocks had died there, and, if so, to drag them out. Strict orders were also given that all water should be boiled, but upon a campaign of such rapid marches as that in South Africa at the present time, to boil all the water drunk was an impossibility; the men would have to drink what they could get, and typhoid was bound to appear. He failed to understand why, when there were a number of buildings in Bloemfontein unoccupied by the inhabitants, they were not used for the benefit of the wounded. Lord Roberts had been very justly called a humane general, but he (General Russell) ventured to say that had Germany or France been in that town there would be scarcely a house that would not have been cleared out, not only for the fever patients but also for the wounded. Under all the circumstances he could not believe that the facts as stated by the hon. Member for Westminster had been put before Lord Roberts. In his opinion, the Committee ought to know whether this matter was ever brought before the Commander-in Chief, or whether it only went before his Chief of the Staff, because everybody was fully aware that Lord Roberts had more to think about than hospital matters, his first care being to defeat his enemy. Many other duties must of necessity have been delegated to responsible staff officers. What ought to be done was to discover whether the representations were made by the principal medical officers, and if they went to Lord Roberts, or whether they only went before the Chief of the Staff and were disregarded by him. That was a matter which should be made perfectly plain. The question was a serious one; and another point which should be cleared up was how these hospitals at Capetown were allowed to fall into the condition described by the hon. Member for Westminster. He was sure that no one would be more anxious to prevent a recurrence of these evils than Lord Lansdowne, the Secretary of State for War. He thought that the hon. Member for Glasgow was right when he said that the Royal Army Medical Department was totally incapable of grappling with a great emergency like this, and we should have a reform and a reorganisa-

tion of that Department and all connected with it. He knew that the Government had had difficulties in regard to the Department, and that it was extremely hard to get good men. He thought a grievous mistake had been made in abolishing the regimental system, with the result that doctors in charge of regiments were changed almost from day to day. Hence necessarily medical officers could know nothing of the men whom they had to attend; and he earnestly hoped that the whole system would be so modified that a medical man would be attached to every regiment and battery. He could only repeat that hon. Members on his side of the House would welcome the proposed inquiry with the greatest pleasure, and he earnestly trusted that it would produce good results, so that our soldiers who went to fight our battles might have the best care and attention it was possible to give them.

MR. C. H. WILSON (Hull, W.) said he had listened with the greatest interest to the courageous statement made by the hon. Member for Westminster. He had had correspondence from South Africa, and especially one letter which seemed to bear on this subject from an entirely independent and unbiassed source. He had shown the letter to the hon. Member for Westminster, as it fully supported the statements that gentleman had made, statements in which he believed he had the entire sympathy of the country, and certainly the support of hon. Members on the Liberal side of the House; but so far as he could judge, he was afraid that Conservative Members had endeavoured to minimise and lessen the intense importance of those revelations. The country knew of the frightful loss of life which had taken place, and this was a matter which ought to be brought before the House. The letter to which he referred was from his son, who six months ago went out as a member of the City of London Imperial Volunteer Corps. The date of the letter, which was to the writer's sister, was 24th April, and in it were these words—

"All the English papers say that the hospitals are so wonderful, but as a matter of fact they are scandalously managed. Our own men will not go to hospital now, as they get less food and attention than with the regiment."

He simply wished to read that statement to the Committee, as it bore its own weight of evidence. The speeches from the Government side of the House had been somewhat sentimental and not matter of fact; but here was a simple statement bearing on this great question, and it was only fair to the hon. Member for Westminster, who had had the courage to bring up this subject, that he should, as far as he was able, give him his support in demanding an inquiry in regard to this crying evil. They all knew of the deficiencies of this campaign; they knew of the deficiencies in guns, and now they knew of the deficiencies in medical stores. Those who were familiar with the history of the Crimean War knew that history always repeated itself, and still at the War Office there was the same want of prevision which had resulted in this enormous loss of life among the best men of the country. Who were responsible for this? In his opinion, it was the War Office.

MR. GIBSON BOWLES (Lynn Regis) said the interesting point at which they had now arrived in this discussion prompted him to ask how those gentlemen opposite were going to vote. Were they going to vote for this grant of £5 to the Government, or were they not? That would be the test of their sincerity. Every kind of attack had been made against the Government. He was not given to the defence of the Government; but on this occasion it seemed to him that the Government had made a most complete answer to these attacks. The Government had been accused of every kind of official neglect: that there were not enough nurses or doctors or medical stores, and perhaps the hon. Member who had just spoken would say, not enough ships. Did hon. Members remember that war was a very terrible business, that it entailed necessarily an enormous amount of suffering, more especially when the lines of communication, as in this case, were extremely long, and that all supplies and men had to be carried over a single line of railway? It should be remembered that the distance from Cape Town to Pretoria was 1,000 miles—as far as from here to Gibraltar. He was astonished to hear the right hon. Baronet the Member for the Forest of Dean, whose knowledge of

these things was very complete and very accurate, and who gave his knowledge to the House in a continuous stream of a most interesting character—[HON. MEMBERS: Oh, oh!]—interesting to him, at any rate, if not to the hon. Baronet's friends—he was surprised to hear the hon. Baronet adduce the German campaign against France as having some kind of parallelism with this South African war. He talked of the number of wounded after the battle of Gravelotte, and Mars-la-Tours, and said that the Germans were perfectly capable of dealing with them. But the Germans were in the middle of a network of railways thoroughly equipped with rolling stock. The difference was enormous. Let the Committee remember that the whole of this question was a question of transport. If it had not been for the length of the lines of transport these difficulties would never have arisen. It was true that something had been said about the hospital at Cape Town, where the difficulties were not the same as up country; but he thought that that was the weakest part of the case made out by the hon. Member for Westminster. He found some defects in the hospital at Cape Town, but these defects were in consequence of the removal of some of the staff in order to cure the defects further up the line. The hon. Member said that there were not enough orderlies, but that was because they had been removed from Cape Town to Bloemfontein, and they were being replaced from day to day by constant arrivals from England. With regard to the camp at Maitland, he really thought the hon. Member had made out no case at all. It was a camp of convalescents, and in the instance the hon. Member gave the sergeant in charge apparently did not recognise that a man with a high pulse and a high temperature had fever, and did not get the man removed. He did not think that it followed that because a man had a high temperature it was at all necessary to remove him. He would rather take the opinion of the hon. Member for Ilkeston than that of the hon. Member for Westminster; in fact he should as soon have that of the sergeant.

*MR. BURDETT-COUTTS: What I did was to secure the attendance of a doctor to see this man. The arrangements of the convalescent huts provided for the patients being left in the hands of an untrained sergeant.

MR. GIBSON BOWLES: Quite so; but if he were in a convalescent camp, and the hon. Member came to him and said, "Your temperature is high, and I will send for a doctor," he might reply, "That might be another danger to what I am already in." This debate had been long but useful. His belief was that in no previous campaign of which there was any record had there been so little unnecessary loss of life, either from wounds or sickness, as in this. That was his deliberate belief, and he was an entirely independent person, and had endeavoured to inform himself of all the facts of the case. Of course he understood that other people might arrive at a contrary impression. What he wished to point out was that the hon. Member for Westminster went out to South Africa not as a commissioner, or even as a Member of this House, because he was acting against the rules of the House when he went out there without permission. He went out, he was sure, for the very best of motives and intentions, and he was certain that the hon. Member's efforts and all that he said to-night would result in good. But the chief result would be the bringing home the conviction that in this war, at any rate, the War Office had done about as well as they could, and the medical staff as well as could be expected. The hon. Member having gone to the seat of war not in a scientific or official capacity, but as a war correspondent, it was his duty to find out remarkable cases and bring them before the public in his paper. He said to himself, "If I can find any evil case in connection with the Medical Department it will be my duty to paint it in the strongest colours and bring it before the British public." [HON. MEMBERS: Oh, oh!] He thought if hon. Members consulted the editor of a newspaper they would find that that was the view the editor would take. Well, the hon. Member had told them that in his opinion the fault was not so much here as in South Africa. If that were so, what was the case against the Government? But if it was in South Africa, with whom was the fault? Was it with Lord Roberts? Scarcely, he thought. Was it with the Royal Army Medical Department? There again, if the Government sent out a sufficient number of orderlies, nurses, and

doctors, surely they should not be held responsible for failure. Therefore he thought that the argument against the Government had most completely failed. It must be remembered that a general in the field had first of all to look to the safety of his army, including the sick and wounded; for unless he provided a sufficient supply of food and ammunition the whole army, including the sick and wounded, would otherwise be exposed to destruction. Undoubtedly, however sad and melancholy it might be to make the revelation, the claims of the wounded and the sick must come next to that vital necessity. The hon. Member said that there might be a reasonable inroad on military exigencies. Who was to be the judge of that reasonable inroad? Who but the general in the field? He alone could tell the necessities of the Army. Nobody else could say what road he had to take, what dangers he would have to encounter, what the enemy he would have to meet; and no person who went out from this country without a knowledge of all strategic necessities could tell what was a reasonable inroad on military exigencies. If they did not leave that to the general, they might just as well take the whole army from him. The hon. Member for Westminster complained insistently of the delay at Bloemfontein. Who was to be the judge of that? The hon. Member himself? Nobody but the Commander-in-Chief. [HON. MEMBERS: No, no!] Yes, that was part of the case. There was too much delay; military exigencies were too much considered. The point of the case was that there was not a sufficient number of orderlies. That was a question of transport. There was an inadequate supply of medical comforts and appliances. That also was a question of transport. It might perfectly well be that in a long train of wagons room might have been found for another wagon with these medical comforts and appliances. But who was to decide that? Surely the general in the field. They were not going to judge here in Whitehall or Pall Mall as to whether another wagon could be added to a long train. It would be absolutely impossible. That was a matter that must be left absolutely to the discretion of the general, and that general was the man to whom they must look with the utmost confidence. Now, in regard to Lord Roberts, it was not without pain that that distinguished soldier would hear of the debate that night. [HON. MEMBERS: Oh, oh!] Yes, because he would feel that it was he who had been attacked. [HON. MEMBERS: No, no!] Lord Roberts would be as well aware as he was that the discretion of taking or leaving more ammunition, or more doctors, more food for the Army, or more orderlies rested with him, and with him alone, and he would feel that in the arrangements as between military necessities and medical necessities he was alone responsible. If there was one general in the British Army who was more keenly anxious that the sick and the wounded should be cared for it was, without doubt, that distinguished soldier; and he thought it would not be without pain that he would read some of the speeches made that night. [Ironical cries of "Hear, hear."] Another order of suggestion had been made by the hon. Member for Ilkeston. On the one hand the Royal Army Medical Department was denounced as incapable. He did not think they were incapable; neither was that the charge made by the hon. Member for Westminster, who said that there were not enough members of that corps to fill the proper places for them. That was not a charge of incapacity. The hon. Member for Ilkeston had offered to go out as a commissioner at the beginning of the war—a most patriotic offer—but he did not know whether, if he had gone out, he would have met the circumstances of the case. Did the hon. Member suppose that if he had gone out to South Africa at the beginning of October the difficulties of transport would have been less, that Lord Roberts would have taken a different view of the relative necessities of the military and medical exigencies? The hon. Member suggested that there had been too much cheeseparing in regard to the Royal Army Medical Department, but it seemed to him that if there was one Department more than another which had been absolutely spoiled it was the Royal Army Medical Department. They had received increased pay, increased allowances, and glorified titles. The view which the hon. Member for Ilkeston took of a camp was that it should consist of a medical officer with a few gentlemen to provide interesting cases. [HON. MEMBERS: Oh, oh!] He was putting it in a strong way in order to let hon. Gentlemen opposite understand what he meant.

His belief was, first of all that there never was a campaign, considering all the conditions, considering the length and imperfect nature of the lines of communication, and considering the rapid advance and the changes of plans, in which the wounded and sick were so well looked after. Moreover, he would add that, considering the enormous interests at stake, considering the activity, the numbers, and bravery of the enemy, although one could not but be sorry for those who had lost their lives, the wonder was not that the number of those who had lost their lives by bullet and disease had been so large, but that it had been so small—a smaller number, in fact, than we had lost in a single battle in campaigns of far less importance. This debate had shown to him, as an outside and impartial observer, that Her Majesty's Government had been scarcely impugned; certainly no case had been made out against them. The case suggested against the authorities at the Cape was of the slightest, and the other and larger case suggested against Lord Roberts, that he had attached too much importance to the military exigencies compared with the medical, had broken down. Her Majesty's Government were to be congratulated upon having given the hon. Member the opportunity of bringing this question forward.

MR. LLOYD-GEORGE (Carnarvon): Hon. Members on this side of the House have been accused of treating this question with levity. This is a matter in which there has been considerable human suffering, and in which there has been the loss of very valuable lives, and when so skilled a debater as the hon. Member for King's Lynn is reduced to such an expedient in order to defend this case, then I think we may come to a fair conclusion as to what the character of that case must be. The hon. Member for King's Lynn has said, and said truly, that Lord Roberts has been attacked; but I should like to ask by whom Lord Roberts has been attacked? The charges brought by the hon. Member for Westminster have not even been challenged. The speech of the Under Secretary for War was simply by way of confession and avoidance. No one who knows anything about the circumstances has got up and challenged the accuracy of a single statement made by the hon. Member for Westminster. The hon. and gallant Member for Central Sheffield, who delivered a very remarkable speech a few minutes ago, and whose experience and military position give his opinions considerable weight in everything he says in matters of this character, practically added the weight of his experience to the indictment which was drawn up by the hon. Member for Westminster. What is the defence of the Under Secretary of State for War? It amounts to this—that everything that was asked for by Lord Roberts was given him. What does that mean? It means that the responsibility does not rest with the Government. The facts are admitted. The Government admit this terrible array of facts, and, therefore, the inference we are called upon to draw is that the Government have cast the responsibility for what has happened upon Lord Roberts and Lord Kitchener. The hon. Member for King's Lynn is perfectly right, for there has been an attack upon Lord Roberts — and a very mean attack — but the attack has not come from Members on this side of the House, but from those who ought to defend Lord Roberts. These facts have been corroborated by perfectly independent testimony. I see in papers which have hitherto supported the policy of the war throughout — in fact, who have done their very best to promote this war—letters from war correspondents not merely corroborating the case of the hon. Member for Westminster, but making even more serious charges. Take what has appeared to-day in what I will call a very well-known jingo paper from one of its correspondents at the front—and it is rather significant that this correspondent never made these charges until he came home. When he was at the front and had to get his messages passed by the censor he confined himself to attacks upon the Boers, but when he comes home what does he say? He says that all the time he was at Bloemfontein he was haunted by the horror of the neglect and cruelty to the sick. He writes a good deal more of the same category. The correspondent I allude to is Mr. Julian Ralph, and yet we are told that the responsibility does not rest upon Her Majesty's Government, who have sent an abundance and even a superfluity of stores to Cape Colony. What

does this correspondent say with regard to Natal? He says that he heard there of a case where a private citizen supplied bandages to one of the hospitals in Cape Town.

MR. WYNDHAM: How can the hon. Member reconcile that statement with the fact stated in the telegram I have read to the Committee asking us to stop sending surgical material?

MR. LLOYD-GEORGE: I can only reconcile it by saying that it is a *Daily Mail* statement. Besides, I do not think that that is a sufficient answer, because the whole case of the hon. Member for Westminster is that even if those appliances were at Cape Town they did not get to the sick and the wounded, either through the red tape or insufficient staff. The hon. Member has not challenged the accuracy of the statements. I do not suggest that what the Under Secretary for War has stated is not a fact; but if is true it rather strengthens the case of the hon. Member for Westminster that, although there was such a quantity of bandages there, they were not supplied to the sick and wounded in the hospitals. There is another case which comes from Birmingham, and I need hardly state that, therefore, on the face of it, it bears the stamp of truth. It is the case of a Birmingham soldier who was invalided home, and he says that he frequently saw naked men in a delirious state wandering about on cold nights, and that he himself had to wait seven or eight hours before he could get a drink of water, and that although he was in the hospital twenty-one days he never saw a nurse. I do not quote from papers which are in the habit of adversely criticising Her Majesty's Government, because statements of that kind must be open to suspicion. Here is a statement made in another paper which supports the war. It asserts that an officer under Lord Methuen had stated that our soldiers were absolutely tortured to death by unnecessary jolting. These are rather significant statements following the attacks which have been made upon the Boers, and the inhumanity and the barbarity of the Boer ambulances, which have proved to be so superior to our own that many of our wounded have preferred to be captured by the Boers rather than endure the terrible vista of suffering which they saw before them in the British ambulance. That statement was made on the authority of the *Daily Express*. After all, these statements are not challenged by Lord Roberts. I have read his letters very carefully, and the facts are practically admitted by the Under Secretary for War, and by Lord Roberts as well. There is the case of the Welsh hospital. When it reached Capetown it could not get to the front for days for lack of transport. The most crying necessity existed for it at the front, but they could not get it there. At last this hospital was sent off in charge of someone at Cape Town, who did not know how to put up the hospital, and the major in charge had to do the work himself, because the men supplied at Cape Town did not know how to fix up the tents. The result there has been deplorable. Professor Jones, who volunteered to go to the front, who is one of the finest men Wales has produced, is dead, and one or two other members of his staff died, very largely through the defective arrangements. These are the complaints which have come home from that quarter. These are the kind of complaints that have come from all directions, and I think they deserve something more than the consideration which they have received to-night from several hon. Members on the other side. I venture to say that the one great lesson of the whole of this business is that it has brought home to the people of this country the inevitable horrors of war. There is nothing which struck me more in the eloquent speech of the Under Secretary for War than what he said in his opening statement to the effect that all this human suffering was inevitable. If it was inevitable, I wonder whether the Colonial Secretary knew it during his negotiations with the Transvaal? I cannot believe that any man with all this vista of suffering in front of him would have proceeded with the recklessness which the right hon. Gentleman has shown. All this suffering has taken place for the one-tenth which was "not worth fighting for." There is a statement in the papers to-day by Dr. Treves, which shows that the whole business has been one series of horrible miscalculations. He says that at the battle of Colenso instead of sixty or seventy wounded they actually had 800. This is an illustration of th

miscalculation which has dogged the footsteps of this war from the very outset. How is it that there is an insufficiency of medical appliances? We now have plenty of bandages, doctors, and nurses, although we did not have them at the critical moment. And why? Because the Government sent out an army of 50,000 men to accomplish a task which they now admit 220,000 is not more than sufficient for. Knowing the facts, knowing the number of guns and the number of the enemy, still they make this horrible miscalculation at the beginning. If 50,000 or 60,000 men were sufficient, of course the medical appliances would be in proportion to the number of men. But when it was discovered that the force originally sent out was utterly inadequate the whole of their arrangements absolutely broke down, transport and all. [Cries of "No, no!"] It is said the facts prove that it is all a question of transport. But, after all, transport is a question of arrangement weeks and months beforehand. Similar statements to this made in the course of this debate have been received with laughter, but let me point out that in an answer given by the Under Secretary of State for War, he stated this was a matter of weeks. Lord Roberts complained of the insufficiency of locomotives and rolling-stock. Of course you cannot get locomotives and rolling-stock in three weeks.

MR. WYNDHAM: It is a matter of nine months.

MR. LLOYD-GEORGE: My case is that if there was an insufficiency of transport it is not a question of weeks but of months, and according to the Under Secretary it is a question of nine months.

MR. WYNDHAM: They had to be constructed on the broad gauge.

MR. LLOYD-GEORGE: I know that rolling stock of any other gauge would be perfectly useless. The whole business is one of miscalculation. The diplomacy was miscalculated, the arrangements for the war were miscalculated, and you miscalculated the resisting powers of the Boers or whether they would resist at all. There has been a complete want of knowledge of local circumstances. There is one thing which strikes me as very remarkable in the speech of the hon. Member for Westminster. He asked, when it was a question of saving so many human lives, what difference would a day make in the date of the advance? That question was received with hilarious and contemptuous laughter by the Leader of the House and the Under Secretary for War and by another great military authority. I must say that I fail to see why they laughed at such a question. There was evidently a great hurry to get to Pretoria. It was to be captured by a certain date, on which the war was to be declared at an end. Of course, I will not say that it had anything to do with the General Election. I should not have made that suggestion except for the fact that no one doubts in this House that the lives of the troops have been sacrificed in Natal and in other places to political exigencies. [Cries of "Oh, oh!"] I repeat that the lives of our troops have been sacrificed to political exigencies. [An HON. MEMBER: Horrible!] But anyone who reads the despatches must come to that conclusion. There were sacrifices of this description at the Modder River in the great hurry that was shown to relieve Kimberley. It was recklessness with regard to human suffering and the loss of human life which led to the war, and that is at the bottom of all this series of disasters which have so impressed the country, and for exposing which the country owes a deep debt of gratitude to the hon. Member for Westminster.

MR. A. J. BALFOUR: I am not, I think, in the habit of using strong language in this House, but I deliberately say that in all my experience of our debates in this House I have never heard a more discreditable speech——

SIR WILFRID LAWSON (Cumberland, Cockermouth): I rise to order. I wish to know whether it is Parliamentary for the right hon. Gentleman to say that an hon. Member has made a discreditable speech.

*THE CHAIRMAN: I do not see anything unparliamentary in the expression, which I have heard frequently used on both sides of the House.

MR. LLOYD-GEORGE: I do not object at all, Mr. Lowther.

MR. A. J. BALFOUR: I think the interruption of the hon. Baronet was wholly unnecessary. I repeat that in all my political experience I have never heard a more discreditable speech than the one which has fallen from the hon. Member for Carnarvon. He was not content with deliberately suggesting that the Secretary for the Colonies had, for his own purposes and with an utter disregard for the sufferings of other people, rushed the country into this war; but he went on to say that the lives of our soldiers in Natal, in the Orange Free State, and in the Transvaal had been deliberately sacrificed for political objects——

MR. LLOYD-GEORGE: Hear, hear!

MR. A. J. BALFOUR: Meaning by that, obviously, that the generals in the field—spurred on, we must assume, by directions from home—had engaged in military operations not otherwise justifiable, not in themselves humane, but prompted solely by political exigencies——

MR. LLOYD-GEORGE: Hear, hear!

MR. A. J. BALFOUR: I do not sully my lips by saying that that is wholly untrue. I do not stoop to defend either my colleagues or myself from insinuations of that kind; but I say for a Member of this House to accuse our generals of being the tools of party, of being men prepared to see their soldiers unnecessarily butchered before their eyes, or subjected to untold tortures to please a body of politicians at home—for that is what the hon. Member said—I say that to adequately characterise such a statement as that the word "discreditable" is utterly inadequate; and if I could use a stronger expression which would be consistent with our Parliamentary manners I should undoubtedly make use of it.

MR. LLOYD-GEORGE: I never made any charge——[Cries of "Oh!"] Will you kindly wait until I finish what I am about to say? I never made any charge against our generals. The charge I brought was against politicians, and I adhere to it. But the allegation of my having made a charge against the generals in the field is absolutely untrue. Whatever orders the generals in the field got they were perfectly justified in carrying out. It is a lie.

MR. A. J. BALFOUR: I will not express my opinion at greater length in regard to the speech of the hon. Member, and I turn to other Members who carried on this controversy with little actual fairness to the Government, but certainly with no desire, I believe, to misrepresent the Government or the actions of our officers in the field. I regret the nature of some of the attacks which fell from my hon. friend the Member for Westminster—attacks not dwelt upon at any length, but which, I think, were insinuations or suggestions that might with advantage have been left alone. There were two which specially remain in my mind. One was against the newspaper correspondents in the field, because he distinctly implied that these gentlemen, on whom we so largely rely for our information, doctored that information for the purposes of their own newspaper, or in order to maintain favour with the authorities at the front.

*MR. BURDETT-COUTTS: As far as I can remember, I most distinctly deny that I ever charged the correspondents with doctoring their information for any purpose.

MR. A. J. BALFOUR: My hon. friend did say that we could not absolutely trust the statements of the correspondents in the field, because they had a strong motive for making their reports agreeable.

*MR. BURDETT-COUTTS: I made a very long speech, but I believe that I am in the recollection of the Committee when I repeat that what I said was that a correspondent could not cable owing to the censor, and that if he wrote home he was open to the danger of whatever he wrote being cabled back within two and a half weeks, and that then I did not envy the position in which he was placed.

MR. A. J. BALFOUR: It may be my own denseness, but I certainly interpret the statement which my hon. friend has just repeated as carrying with it the suggestion that a correspondent would not write letters of that kind because he should have a very unenviable lot if he did write them. That is all I suggest. [AN HON. MEMBER: You said "doctored."]

MR. BRYN ROBERTS: There is a difference between silence and misrepresentation.

MR. A. J. BALFOUR: I have many other important matters to deal with. There is only one other observation of my hon. friend of an incidental character to which I will call attention, and that is his suggestion that the tradition which he represents as having been in force some time ago among soldiers to be afraid of the hospital authorities was one which still had some force. I am sorry my hon. friend made that suggestion. I believe it to be wholly unfounded. All the information which has reached me, from whatever source, shows that the soldiers, whether there has been a sufficient amount of medical attention or not, at all events have appreciated, from the beginning to the end of those unhappy military operations, the unvarying kindness of the doctors and other attendants, and I am sorry that my hon. friend should have made a suggestion which must cause the greatest pain to those who have devoted themselves to the sick and wounded. I now pass to the main substance of the attacks which have been made to-night. Those attacks may be divided into the attacks on Her Majesty's Government and the attacks on Lord Roberts. The attacks on Her Majesty's Government are evidently what really animates hon. Gentlemen opposite. They want to extract from this episode, and from my hon. friend's letter, material for a party fight. I make no such suggestion against the only hon. Gentleman who has spoken from the Front Bench opposite; but those who have heard the speech we have just listened to, and other speeches which have preceded it, will not for a moment suggest that my statement is overcoloured. Unfortunately, it is impossible in this debate, with the best will in the world, to strike an effective blow at Her Majesty's Government without striking that blow through Lord Roberts, and that is the real perplexity in which debaters of the class of the hon. Gentleman the Member for Carnarvon have found themselves from beginning to end in this matter. My hon. friend whose letter to *The Times* started this debate has himself reiterated over and over again that, so far as his observation and his knowledge of the facts are concerned, he does not believe that any deficiency is to be traced to an insufficient supply of medical stores at headquarters. With the supply of an adequate number of men and an adequate amount of medical stores in South Africa it is evident that the direct responsibility of Her Majesty's Government ends, and must end, and afterwards that it rests with the military authorities on the spot to use those stores and those men to the best advantage. And if the amount of medical stores and the men be sufficient, the only question we have got to ask is whether those men and those stores have, after they arrived in South Africa, been used to the best purpose by the authorities on the spot. I do not believe that it has been seriously asserted by anybody that an insufficient amount of medical stores has been sent. Directly we come face to face and close with the facts, it all turns on the question of transport, and that was admitted by—in fact, it was part of the argument of—my hon. friend the Member for Westminster. It is, and must be, admitted by anyone who has heard the facts that we are really ultimately driven to consider whether or not the military authorities—Lord Roberts and his subordinates—were well advised in using the limited means of transport in the way that, as a matter of fact, they actually did. That really is the question, and therefore you are, and must be, attacking the military authorities on the spot and not the Government at home when you deal with the deficiencies, or the alleged deficiencies, which have occurred at Bloemfontein and elsewhere. And that is why I say that, with obviously most earnest desire to wound her Majesty's Government, it is the general in the field who really has been struck at. Let me now, parenthetically, allude to the one constructive suggestion I have heard in the course of this debate. Most of it, as I have said, has been criticism, some of it party criticism, but there was a suggestion made by the hon. Gentleman the Member for the Ilkeston Division which I think is the only contribution of a constructive character to the problem with which we have to deal. The hon. Gentleman suggests that there ought to have been a kind of roving committee of independent medical men who should, in his own phrase, stand between the military medical authorities and the generals in the field. I do not think I misrepresent his views. Was ever such

a proposal made for rendering impotent an army in the field? As I understand the hon. Gentleman, Lord Roberts is to say to this roving consultative medical committee, "I mean to make a rapid march through the country, covering such and such a distance, and I shall be able to take with me only such and such an amount of medical stores." And thereupon the medical committee will say, "If you do that a great many of the soldiers will remain without adequate medical comforts and with an insufficient number of medical attendants, and, in the name of humanity, we must ask you to march a little slower." I really cannot imagine anything which would at once more effectually dislocate both our military arrangements and our medical arrangements, and, whatever shortcomings there may be in the present system, the hon. Gentleman will allow me to say, with all respect, that that system is much better than the one he recommended. Before leaving the hon. Gentleman, may I make one other observation on a matter on which he speaks with far greater authority to the Committee than I can pretend to. He has discussed, with all the knowledge of a great doctor, the amount of mortality which ought to attend this outbreak of typhoid — a mortality, let me remind the Committee, of 21 per cent. of the cases, and admittedly lower than the mortality in such cases in any war in which we have ever been engaged, and lower, I believe, than in any war in which any other Power has ever been engaged. [An HON. MEMBER: No!] Yes, I believe so; and comparing favourably not only with the mortality among soldiers in time of war, but with that among soldiers at home in time of peace, with the use of every possible medical appliance. Then the hon. Gentleman comes and stakes his medical reputation on the statement that if there had been proper medical attention and appliances the mortality might have been reduced from 21 to 12 per cent. I am glad to think the hon. Gentleman's medical reputation is far too solidly based to be upset even by such a wild hypothesis, otherwise I should really be tempted to say he was indulging in the most extravagant imaginary statistics. Remember, the soldier in the field is at the time of life when a man is most susceptible to typhoid. The ordinary statistics in populations in civil life give 15, 16, or 17 per cent., including infants, who do not usually succumb to the disease, and, of course, the percentage presents a much more favourable result than when it is applied to men in the prime of life at the most susceptible age. If we at home with our hospitals and appliances cannot reduce the mortality among soldiers below 21 per cent., is it not straining our faith in the hon. Gentleman's ability to ask us to believe that the percentage could be reduced to 12 among soldiers on service? I cannot really believe that the hon. Gentleman will, on reflection, adhere to his conjecture. I have said this is really an attack upon Lord Roberts and his staff, and that statement met with expressions of disfavour from the other side. But the right hon. Baronet the Member for the Forest of Dean said deliberately, if I do not misinterpret him, that the military authorities should have managed their transport so as to bring up more medical supplies.

*SIR CHARLES DILKE: I do not deny that. I stated that I agreed with what had been said on that point by the hon. Member for Westminster, that under the circumstances of the case what had been done by the Germans at the moment of greatest pressure before Metz was equally open to Lord Roberts.

MR. BALFOUR: The right hon. Baronet not only says it on his own great authority, but also on that of the hon. Member for Westminster. That, then, is an attack on Lord Roberts and his staff, and nothing else. The whole question is one of transport, avowedly one of transport. If there could have been tents, doctors, nurses, medical supplies brought up to Bloemfontein with the desired speed, these things would not have occurred, and they occurred because the transport was not supplied. The hon. Member for Ilkeston says an outbreak of typhoid should have been foreseen and provided for. Well, it was foreseen, but how could it be provided for? How could we provide for an outbreak of typhoid when we could scarcely get to Bloemfontein the necessary supplies for the Army? I should almost be ashamed to labour the point after the brilliant speech of the Under Secretary for War, but it has been systematically disregarded all through. Has the Committee the least notion of how narrow

was the margin of supplies on which Lord Roberts made his phenomenal and historical march? Recollect, the success of the war, the rapid and effectual success of the war, turned upon the extreme rapidity of Lord Roberts's movements. So rapid was his advance that on one occasion we know as a fact from Lord Roberts that for a few hours he was in serious anxiety about the supplies of food and ammunition requisite for the existence of his army. The actual occasion was, I think, upon his getting into Johannesburg; but all through his march he was working on the very narrowest margin; men were sleeping in the open air night after night because tents had not come up, and the supply of provisions was the smallest compatible with safety. It was therefore impossible, fighting and marching at the rate he did, that he could have all the comforts and conveniences of a London hospital, or even the comforts of a hospital at the base; and, therefore, preparation at Bloemfontein was impossible. It could not be done. You may say what you like about the outbreak of fever, no amount of prevision would have prevented what happened in consequence of the difficulties of transport, and the difficulties of transport alone. I want to know whether the House thinks that anything is seriously gained by criticising in this way the decisions of generals in the field? My hon. friend the Member for Westminster brought forward many cases which came under his own personal observation of hardships, deplorable and lamentable, to the wounded at Bloemfontein and afterwards at Kroonstad. On the details of these statements I should not cast the least doubt, but I think we should hear what the doctors have to say on the other side. My hon. friend had a harrowing story of eight wounded men left on the platform nine hours at Bloemfontein. It is a horrible thing to contemplate. It makes one's blood run cold. But before we condemn the doctors—and I suppose they were the responsible persons for that at Bloemfontein—I think we ought to hear their case, and the more so as it is manifestly difficult to get at the truth in these matters. My hon. friend said the hospital at Cape Town was built opposite the mouth of an open sewer. I am told that that is a statement in which my hon. friend is mistaken. At all events it has been contradicted on high authority.

Mr. Balfour.

It is evident with regard to this particular case of the eight men left on the platform at Bloemfontein that we must have, and ought to have, the justification, if justification there be, of the local authorities; we ought to hear what the other side has to say before we pass an indiscriminate opinion. It is quite clear that the House is not capable with the information now before it of dealing with the details of the situation. I pass to the broad issue I wish to lay before the House, which is whether we should condemn the general in the field. [Cries of "No, no!"] What is the use of saying "No, no" when the hon. Baronet admits that I have not misrepresented him? When it is admitted, it may please hon. Gentlemen to allow me to make my statement without these interruptions. The broad issue is whether we should condemn the general in the field—[Cries of "No, no!"]—for making his military arrangements so that necessarily for a short period there was an insufficient supply of medical comforts, whether we are to insist that he shall limit the sphere of his operations, check the rapidity of his movements, dull the strength of his blow in order that there shall be not a moment's delay in tending the wounded. Sir, that is not war or humanity, nor the way to be successful in military operations, nor the way to save human life. If there is one truth more surely learnt than another in military history it is to bring war to a rapid conclusion and limit the inevitable human suffering by striking rapidly and hard, even though the immediate result may be momentary loss of human life. For my part I cannot imagine a worse lesson to teach the generals of this country than that whenever, by the exceeding rapidity of their operations, these sufferings are caused they are to be the subject of comment in Parliament and used as the counters of politicians like the hon. Member for the Carnarvon Boroughs, and that their credit and honour is to be made the plaything of contending parties. I hope the House will never lend itself willingly to this procedure. Let hon. Members attack the Government as much as they like. We are accustomed to it; it is our trade to listen to these comments, and we do so with the utmost philosophy. But do not let the House lend itself to attacks which, under the guise of attacks on the Govern-

ment, are attacks on generals in the field, and by attacking generals in the field sap the very foundations of our military strength.

SIR H. CAMPBELL-BANNERMAN (Stirling Burghs): In the few words, Mr. Lowther, which I shall address to the Committee, I hope I shall be able to maintain a somewhat calmer temper than has been exhibited throughout the course of the somewhat long harangue——

MR. A. J. BALFOUR: Not "long."

SIR H. CAMPBELL-BANNERMAN: The speeches of the right hon. Gentleman never seem long, but this one did seem longer than usual in consequence of the high tone that was maintained. The right hon. Gentleman began his speech by rebuking my hon. friend the Member for Carnarvon for having made a "discreditable" speech. Without applying such an epithet as that applied to the speech of my hon. friend, I think the manner in which the right hon. Gentleman at least commenced his observations was not worthy of him or the House or the occasion which has created the debate. The right hon. Gentleman said that it is an attack on Her Majesty's Government which really animates us, and I am not at all surprised to find that that sentiment was largely endorsed by the Secretary for the Colonies, for he gives us no credit whatever for any sympathy with suffering, no credit for a desire for an inquiry into what amount of faulty proceedings there may be in relation to the treatment of the sick and wounded in South Africa. According to the right hon. Gentleman we do not share at all the anxiety, the thrilling feelings which the people of this country have experienced by the revelations made by the hon. Member for Westminster. We have no feelings, apparently, of that kind; our one squalid idea is to attack, rightly or wrongly, Her Majesty's Government. The right hon. Gentleman thinks that in a debate of this nature, originated in the manner to which I shall allude presently, it is worthy of his position as Leader of the House to make such an imputation. I have said I would refer to the circumstances in which this debate has arisen. How has it arisen? The hon. Member for Westminster published the letter in *The Times* to which such frequent reference has been made. That letter so deeply moved public opinion that a number of us felt obliged to ask simple questions in order to ascertain what the view of the Government was with regard to it, and the right hon. Gentleman then got up, and what did he say? He did not blame the hon. Member who had written this letter. He did not blame us for asking questions on the subject, but he said that "the matter is so serious that the state of things disclosed so rightly calls for inquiry that we ourselves will institute an inquiry. We will send out a commission." [MR. BALFOUR: No.] Did he not say so? Then what was the meaning of the indignation with regard to my hon. friend the Member for Ilkestone when he asked whether an inquiry would be made? The reply of the right hon. Gentleman was, "I said so yesterday." The right hon. Gentleman laid so much stress on this inquiry yesterday, he so recognised the natural desire of the House of Commons to discuss this serious matter, these great revelations, that he said, "We will go out of our way and invent a new method by bringing in a Supplementary Vote of £5 in order that the House may discuss the subject." Now he thinks that we forget all this, and says that it is we, with the world behind, who have invented this occasion to get up this attack, this rigged-up attack, on the Government. No, Sir, the right hon. Gentleman will find, I think, when he cools down a little that we have a perfect right to discuss this matter without having such imputations made upon us.

MR. A. J. BALFOUR: I made no imputation.

SIR H. CAMPBELL-BANNERMAN: I call it an imputation. In a matter of this great gravity, of this solemn character, involving as it does the lives and deaths and sufferings, or escape from suffering, of thousands of our brave fellow-countrymen, the right hon. Gentleman will find that we are merely taking an opportunity which he gave us, and that we are not really animated by the sole desire to have a good party attack on the Government. The hon. Member whose writings in *The Times* originated the whole of this discussion must, I think, be on the whole thoroughly satisfied with the proceedings

of to-night. I am merely repeating what has been said before when I say that not one of his allegations, as I understand it, not one of the facts he has stated, has been disputed, certainly not controverted, on the part of Her Majesty's Government. And, therefore, the hon. Member stands in this position, that he has disclosed to the country a part, at all events, of the truth of this great matter, and he has done it in such a way that he can receive nothing but thanks from the community for doing it. Now, Sir, I have heard no reference made to-night to two curious passages in the paper that was circulated this morning. We have heard all along of the hon. Member for Westminster and of his papers in *The Times*. But in the War Office telegram to Lord Roberts the War Office say, "We are receiving private telegrams complaining of alleged general breakdown in hospitals," and then they go on to say, "A complaint of your hospitals at the front has just come in." That one complaint which has just come in was obviously a telegram from the hon. Member. But what are the other private telegrams complaining of a general breakdown? We have not heard any explanation of those. That telegram was sent on 5th June. A good many days, and even weeks, elapsed, and on 20th June the War Office, who profess to have no knowledge of these mistakes and defects pointed out by the hon. Member, write, "We continue to receive disquieting reports as to the state of hospitals." We have heard nothing of what those disquieting reports, rumours, and complaints are. But, at all events, they show that Her Majesty's Government are not indebted only to the hon. Member for their information upon the subject. But the country at large is. The hon. Member's information came like a thunder-clap upon the country, because up to that time we had all been saying that, although many departments of the Army administration had surprised the country by their efficiency during this war, there was one which had excelled all others—namely, the medical department, and the country was under the belief that in regard to medical matters everything was at its best in the best of all possible departments in South Africa. The disclosure came as a great blow upon the country. Now, Sir, I cannot altogether divorce the surprise with which these revelations were received from the very uneasy feeling which has pervaded a large portion, at any rate, of the community, inducing us to doubt whether we were receiving really full and true information, not only in regard to hospitals, but in regard to other matters in South Africa. This is the first time, so far as I am aware, that this country has engaged in a war on anything like this scale under the influence of what is called a censorship. To a censorship applied to purely military questions, to a censorship which restricts news which may be of a character capable of giving undesirable information to the enemy, we all willingly bow and submit. But when we find, as we do, that military censorship applied to political matters, to private letters, to private telegrams, how can we fail to have some doubt—I will go no further than that—whether, after all, with all the newspapers and teeming intelligence around us, we understand really the full facts of the case? Now, Sir, the hon. Member's allegations have not been disputed nor disposed of, as I have said, but merely explanations and excuses have been made for them. This debate must necessarily be incomplete and unsatisfactory, because we are not in possession of the facts which would enable us as individuals to judge of what has happened. We do know certain bald facts. We know, for instance, that for every one man who has died of his wounds in South Africa, two men have died of enteric fever. Roughly, I think, that is about the proportion. The question we have to consider is, generally, was this danger of great sickness and enteric fever realised and provided for by the Government and by their advisers? My hon. friend the Member for Ilkeston has related to us the part he took. He suggested that when you were sending out eminent surgeons to see that the surgical treatment of the wounded was properly conducted, you ought not to have neglected the weightier matter of sending out eminent physicians to advise as to matters affecting the sick. The right hon. Gentleman made game of my hon. friend's proposal. He talked of it as a roving commission which was to dictate to the generals what they were to do. Why did he send out surgeons? What is a patriotic act in a surgeon cannot be quite a crime in a physician. With regard to the general question, we have evidence on all hands that the probability of a great prevalence of this particular dis-

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order was known to every one acquainted with the circumstances of South Africa. The right hon. baronet the Member for the Forest of Dean quoted from the Army Medical Report an account given last year of the liability of Ladysmith and that quarter to this particular disease. We want to know whether that danger was fully realised. The Under Secretary says that it was. Then was it fully provided for? We do not know, and we cannot know until this inquiry takes place. The second question is this—whether, during those weeks of waiting at Bloemfontein everything was done that could be done. The first epidemic was incubated elsewhere; but there has been a second outbreak since. Was not each of these attacks capable of being guarded against, or the results modified, by certain steps which might have been taken? The Under Secretary says that Lord Roberts's first duty was to feed the large army under him, and that then he had to accumulate stores as well as he could to keep them during their rapid advance. I suppose that the supply of nurses and orderlies would come afterwards. Some of us are not sure that they should have come afterwards.

MR. WYNDHAM: I did not say they must come after accumulation. I said they must come after bare subsistence.

SIR H. CAMPBELL-BANNERMAN: That is a military matter. If they could come before accumulation of stores, it disposes of all your argument.

MR. WYNDHAM: I beg the right hon. Gentleman's pardon. You must prepare fifteen days subsistence for the advance, or you cannot make it.

SIR H. CAMPBELL-BANNERMAN: That is obviously a matter of opinion and judgment. The right hon. Gentleman says that we are condemning Lord Roberts. I say that I do not condemn Lord Roberts, because I have not knowledge enough to pronounce an opinion on the subject. That is precisely one of those subjects with which this inquiry, so strongly promised and so eagerly expected, must occupy itself. Apart from the allegations of the hon. Member for Westminster, which no one disputes—I mean the allegations of fact—there is a case here of some neglect of ordinary care in some quarter. But we are not in a position to apportion the blame which, I think, is due to someone. I decline altogether to attempt to do so with the knowledge that we have. We have two hon. Members here who have been to South Africa, and they take opposite views of the question. But the facts remain—the facts witnessed by the hon. Member for Westminster remain. The tremendous proportion of deaths remain, and they are surely sufficient to justify this discussion and to point the necessity for this inquiry. But I am indeed surprised to find that the right hon. Gentleman said nothing definite and positive about this committee of inquiry. Perhaps he was so much engaged in endeavouring to beat the wind and to raise party feeling that he forgot it. But it is obvious that no time should be lost, if it is not to be a sort of South African Committee to inquire after it is too late. It is to be a Committee to proceed to the spot and inquire; and I hope that that inquiry will be thorough and immediate. But there is another point. Several hon. Members have said that we may draw great lessons from all that has happened as to the future reorganisation of the Army Medical Department, and so forth. That is as to the future; and the state of things disclosed by the hon. Member for Westminster is of the past. But what of the present? There are 5,000 or 6,000 men in the hospitals at this moment—[Cries of "More!"]—some of them at Cape Town, in those hospitals which are independent of defective transport, and any faults of which cannot be distorted by the most ingenious mind into an attack on Lord Roberts. Have the Government and the War Office taken to heart any lessons from what has been disclosed and even from what is acknowledged by Lord Roberts and themselves to be a state of things which existed a few weeks ago? Are they guarding against a repetition of such horrors? Are we entitled to feel secure, as I hope that we are, that our countrymen will not be again exposed to that which they have already gone through with so much courage and endurance?

MR. LABOUCHERE (Northampton): I have two questions I wish to ask the

First Lord of the Treasury. My right hon. friend the Leader of the Opposition has just now urged that a Commission should be appointed immediately.

MR. A. J. BALFOUR: Lord Roberts urges it.

MR. LABOUCHERE: Lord Roberts only urges that men of common sense should be put on the Commission, whom, I gathered from his telegram, he did not anticipate would be found in this House. What I want to ask is, who is going to appoint this Commission? The right hon. Gentleman and his Government are persons concerned; their conduct is to be inquired into. If they are to appoint the Commission we know very well what it will be. It will be another whitewashing Commission. I do not know whether a Royal Commission or a Committee, or what, is to be appointed; but whatever it is, I think before the gentlemen are appointed we ought to have an understanding that their names should be submitted to the House of Commons, and that an opportunity should be given for some sort of discussion upon them. Otherwise, under the circumstances of the case, it is perfectly obvious that this Commission will give no satisfaction either to gentlemen on this side of the House or to the public generally. I do not know what are the views of the hon. Member for Westminster with regard to this Commission, which is proposed in consequence of the charges he has made, but I cannot suppose that he himself would not wish that the names should be submitted to the House and some opportunity given to Members of the House to suggest that this or that gentleman is not, perhaps, quite independent, or that some other gentleman should be put on the Committee. It is the only possible way in which an independent Commission can be obtained in this matter which will satisfy the exigencies of public opinion. It is all very well for the right hon. Gentleman to tell us he treats all this with philosophical calm. The right hon. Gentleman is a philosopher, and I have before now said that I sit at his feet as regards his philosophy; I believe in his philosophy much more than in his politics. But this is not a mere question for philosophers; it is a question for practical men, and we want practical action in the matter. I am bound to say that unless we have this Committee or Commission practically appointed by both sides of the House the country will not regard it with that philosophical calm upon which my philosophical leader prides himself. There must be a full inquiry into the whole of this miserable state of things at Bloemfontein which has been revealed to the House now, but which has been carefully kept secret up till now. You may talk as much as you like about the correspondents, and say that they are independent. How is it, if the correspondents are independent, if they were not afraid of offending the powers that be out there, that while they were telegraphing and sending letters home, giving all sorts of news, some true, some false, they did not allude to what was going on at Bloemfontein? If it had not been for the fact that, fortunately for the country, the hon. Member for Westminster went there and had the courage to reveal in the press what he saw, we should know nothing whatever about this even now. There is another question I wish to ask. The Leader of the Opposition read a telegram that has been published and put into our hands to-day, saying that the War Office were receiving telegrams respecting the breakdown of hospitals. During the debate the hon. Gentleman the Under Secretary for War said the War Office had been in correspondence with the Commander at Cape Town, and with the medical heads there. The Government promised, in giving us the Paper issued to us to-day, to lay every fact at their disposal before us. They have not done so. Here are two things we do not know, and I want to know whether the right hon. Gentleman will agree to lay before the House this correspondence with the authorities at Cape Town.

Resolution agreed to; to be reported upon Monday next. Committee also report Progress; to sit again upon Monday next.

Motion made, and Question, "That this House do now adjourn"—(*Mr. Balfour*)—put and agreed to.

Adjourned at five minutes before Twelve of the clock, till Monday next.

HOUSE OF LORDS.

Monday, 2nd July, 1900.

PRIVATE BILL BUSINESS.

The LORD CHANCELLOR acquainted the House that the Clerk of the Parliaments had laid upon the Table the Certificates from the Examiners that the further Standing Orders applicable to the following Bills have been complied with :—

Rochdale Corporation.
Oldham Corporation.

Also the Certificate that the Standing Orders applicable to the following Bill have been complied with :—

Pier and Harbour Provisional Orders (No. 2).

And also the Certificate that the further Standing Orders applicable to the following Bill have not been complied with :—

West Ham Corporation.

The same were ordered to lie on the Table.

WEST HAM CORPORATION BILL.

Examiner's Certificate of non-compliance with the Standing Orders referred to the Standing Orders Committee To-morrow.

WOLVERHAMPTON, ESSINGTON, AND CANNOCK CHASE JUNCTION RAILWAY BILL.

Report from the Select Committee, That it is not expedient to proceed with the Bill; read, and ordered to lie on the Table.

BELFAST AND COUNTY DOWN RAILWAY BILL.

Committed.

GREAT NORTHERN RAILWAY (IRELAND) BILL.

Committed. The Committee to be proposed by the Committee of Selection.

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 6) BILL.

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 8) BILL.

LOCAL GOVERNMENT PROVISIONAL ORDERS (POOR LAW) BILL

GAS PROVISIONAL ORDER (No. 3) BILL.

PIER AND HARBOUR PROVISIONAL ORDERS (No. 1) BILL.

Committed to a Committee of the whole House.

MIDLAND RAILWAY BILL.

Report from the Select Committee, That the Committee had not proceeded with the consideration of the Bill, the opposition thereto having been withdrawn; read, and ordered to lie on the Table. The Orders made on the 17th and 25th of May last discharged; and Bill committed.

BEDFORD GAS BILL.

Read 3ª, and passed.

BEXHILL AND ROTHERFIELD RAILWAY BILL [H.L.].

HARTLEPOOL GAS AND WATER BILL.

CITY OF LONDON ELECTRIC LIGHTING BILL.

WOODBRIDGE DISTRICT WATER BILL.

LANCASHIRE AND YORKSHIRE RAILWAY BILL.

Read 3ª, with the Amendments, and passed, and returned to the Commons.

VALE OF RHEIDOL LIGHT RAILWAY BILL.

Read 3ª, with the Amendment, and passed, and returned to the Commons.

SOUTH METROPOLITAN GAS BILL.

Standing Order No. 93 considered (according to Order), and dispensed with, with respect to a Petition of the Strand District Board of Works. Leave given to present the said Petition.

BRAY URBAN DISTRICT COUNCIL BILL.

Brought from the Commons; read 1ª; and referred to the Examiners.

NEATH HARBOUR BILL [H.L.].

TAFF VALE RAILWAY BILL [H.L.].

Returned from the Commons agreed to.

HOYLAKE AND WEST KIRBY IMPROVEMENT BILL.

WAKEFIELD CORPORATION MARKET BILL.

Returned from the Commons with the Amendments agreed to.

ABERDEEN POLICE AND IMPROVEMENT BILL.

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

LONDON AND SOUTH WESTERN RAILWAY BILL.

SOUTH EASTERN METROPOLITAN TRAMWAYS BILL.

BRADFORD CORPORATION BILL.

ILFRACOMBE IMPROVEMENT BILL.

CHARING CROSS AND STRAND ELECTRICITY SUPPLY BILL.

CITY OF LONDON (VARIOUS POWERS) BILL.

BAKER STREET AND WATERLOO RAILWAY BILL.

LONDON UNITED TRAMWAYS BILL.

Report from the Committee of Selection, That the following Lords be proposed to the House to form the Select Committee for the consideration of the said Bills, viz:—

E. Abingdon.
E. Rosse (chairman).
L. Sherborne.
L. Calthorpe.
L. Clonbrock;

agreed to: and the said Lords appointed accordingly. The Committee to meet on Thursday next, at Eleven o'clock, and all Petitions referred to the Committee, with leave to the Petitioners praying to be heard by counsel against the Bills to be heard as desired, as also counsel for the Bills.

TRAMWAYS ORDERS CONFIRMATION (No. 2) BILL [H.L.].

House in Committee (according to Order). Amendments made. Standing Committee negatived. The Report of Amendments to be received To-morrow.

GAS AND WATER ORDERS CONFIRMATION BILL [H.L.].

Commons Amendment considered (according to Order), and agreed to.

ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 10) BILL.

Brought from the Commons; Read 1ª; to be printed; and referred to the Examiners. (No. 151.)

RETURNS, REPORTS, ETC.

ARMY.

Return respecting (laid before the House on Friday last), to be printed. (No. 149.)

INDUSTRIAL TRAINING OF GIRLS.

Report to the Local Government Board on the industrial training of girls in the separate and district schools in the Metropolitan District, by Miss Ina Stansfeld, assistant inspector.

IRISH LAND COMMISSION (JUDICIAL RENTS).

Return for the month of November, 1899.

CONGESTED DISTRICTS BOARD (IRELAND).

Report of the Board for the year to 31st March, 1900.

Presented (by Command), and ordered to lie on the Table.

RATEABLE PROPERTY (ENGLAND AND WALES).

Return respecting. Laid before the House (pursuant to Order of 3rd August last), and to be printed. (No. 150.)

MILITIA BALLOT BILL [H.L.].

[SECOND READING.]

Order of the Day for the Second Reading read.

*THE EARL OF WEMYSS: My Lords, some years ago I had the honour of dining at the Royal Academy, and a very distinguished literary man was called upon to respond to the toast of "Literature." He began by asking, "What is literature?" That rather alarmed his audience, but I hope your Lordships will not be alarmed if I also preface the remarks which I propose to make upon the Militia Ballot Bill of the Government by asking, "What is conscription?" It is absolutely necessary, in considering this question of the Militia Ballot, that we should come to a clear understanding as to what conscription means, because the word is constantly misapplied. Strange to say, those whom one would think would understand this question best are often those who misapply it most, and it really looks as if they do so purposely in order to give the Ballot a bad name, and make it stink in the nostrils of the people. Let me take my noble friend the Duke of Devonshire. He is head of the Defence Committee, and is certainly a man who ought to know what conscription means, and yet at a dinner in honour of Mr. Balfour he made a speech in which he said: "Lord Wemyss

wishes the Government to bring in a drastic measure of conscription." Now, my Lords, the last thing in the world that I wish to see established is conscription in the rightful sense of the term. It is not conscription that I want, but the ballot. Then, again, the noble Duke spoke of a "drastic measure," but the Bill of the Government, the Second Reading of which I have the high privilege of moving, is, I consider, far too drastic, and, although I trust your Lordships will read it a second time, it will have to be considerably modified in Committee. What is conscription? Conscription means that every male inhabitant of a country is compulsorily obliged to join the army of that country, and is liable in youth and early manhood, and until well on in years, to be called to arms. It is said that this system is un-English, but that is not the case. So far from being un-English, conscription in the strongest and most complete sense of the word was the system by which in the early days of English history our armies were formed. It was a conscript army that won the glorious victories of Crecy and Poitiers in the time of Edward III. Therefore conscription is not un-English in reality, because it was, as I have said, a system by which our armies were raised in the early history of our country. This system, while it has fallen into desuetude in this country, has been taken up on the Continent. It was first taken up at the end of the Eighteenth Century in France, where, I believe, it was introduced by Marshal Jourdain, and now we see the system ruling throughout the Continent from the White Sea to the Mediterranean, and from the Ural Mountains to the Straits of Dover. Yes, to the Straits of Dover, and that makes all the difference. Were it not for what Cromwell called "that ditch," and what Mr. Gladstone called the "silver streak," every one of your Lordships must admit that we, too, in this country should, like our neighbours, be under a system of complete conscription. But this "ditch" is not absolutely to be trusted. Cromwell nearly 250 years ago warned the Englishmen of his day against trusting absolutely to it. He said, "Unless you can supplement your ships with men on horseback and men on foot you will not be safe." And 200 years later—fifty years ago—Lord Palmerston, speaking in the other House in favour of the resuscitation of the Militia, used very much the same language. He spoke of the necessity of resuscitating the Militia in order that we should be strong at home and be able to prevent the landing of hostile troops upon our shores, and said it was madness to trust to the navy alone, and all history showed—especially our own—how readily countries could be invaded. Everyone must feel that we should have a strong force at home, though not through conscription. My noble friend the Prime Minister, is, I notice, rather amused when the word "conscription" is mentioned, and yet he is the only public man I know of who has advocated conscription. He may, perhaps, be surprised to hear me say so; but the noble Marquess told the Primrose League that we must have for the defence of this country rifle clubs on the Swiss model. Now, what is the Swiss model? It is the most stringent conscription of any in Europe. Every man there, from youth to old age, is conscribed, and has to take up arms whenever required. My noble friend would himself escape, but in advocating that system he is hard upon his colleagues, for under it even the noble Duke the head of the Defence Committee and the Secretary of State for War would have to shoulder their muskets, learn the goose step, and, as a result of this war, learn also to burrow like rats and rabbits in the earth. But if we have not conscription we have, thanks to that "ditch," a military system which I hold to be admirably suited to our insular and Imperial position; and the foundation of that system is the Militia, which, according to the law of the land which is annually suspended, is properly raised by compulsion. By means of the Militia Ballot the right of the Crown is exercised to the military service of its subjects for home defence. What I want to consider is, what is the view and what has been the action of the Government with reference to the Militia ballot, which, as I have said, is the main principle of our military system, and upon which the defence of this country is supposed to rest? In an excellent pamphlet which has been sent to me, called "A Strong Army in a Free State," written by Mr. Coulton, there is a quotation from a speech of my noble friend the Prime Minister, delivered on 20th February this year. My noble friend is supposed to have said, with reference to the Militia

ballot and the discussion in this House upon it, that "we were wandering on unknown ground"; and in the same chapter I find that the Under Secretary of State for War is quoted as having in another place alluded to "conscription and military ballot, and other such new devices." Let us for a moment survey the "unknown ground." to which my noble friend refers. It was on this "unknown ground" that our forefathers stood at the beginning of the nineteenth century, when the Militia and other Forces were gathered together to resist the invasion which was then threatening. Out of that "unknown ground" sprang those Militia regiments which my noble friend Lord Blythswood referred to as being of such great service in the early part of the century, and which were referred to by the Duke of Wellington—when backing up the Militia Bill of 1852—in the highest possible terms. So much for this "unknown ground" on which we are wandering. I now come to the "new devices." They were in full operation in the early part of the last century. They found a place in the Militia Act of 1852, and these "new devices" of the Under Secretary for War, namely, the ballot, formed an integral part of the army reform proposals of Lord Cardwell in 1870. But all this is a matter of history. Let us come down to the present time, and see what the action of the Secretary of State for War has been in reference to the question of the Militia ballot, this "new device." In 1898 the subject was under the consideration of your Lordships' House, and my noble friend said that, though the country was not prepared for the ballot, it was a valuable power to have in hand, having regard to possible emergencies, and one he would not readily part with. Then the noble Marquess went on to say that legislation would be necessary, for the system was obsolete, the machinery would not work, and required to be amended and brought, to use his own words, up to date. Then in the following year the Secretary of State for War brought in a Bill, the Second Reading of which I am about to move, to make the ballot available. In 1899 this Bill lay on the Table of the House, and, as the House was told in 1898, it was meant to meet emergencies. The year 1900 was an *annus mirabilis* of emergencies, and yet the Bill was left derelict by its author, the Secretary of State for War. I found it comatose, a foundling, on the steps of the War Office, and I have simply substituted my name on the back of it for that of the Secretary of State for War. The Bill was brought in to meet emergencies, but the Government have done what I venture to think no Government to my knowledge ever did before. I have been in Parliament since 1841, and I recollect no precedent for the course the Government have followed in introducing a measure which they said was of vital importance, and then issuing a whip to secure its rejection. That is what Her Majesty's Government have done in this case. We have read during this war of President Steyn sjamboking Boers who would not fight, but here we have a case of the Government sjamboking their party in order to induce them to throw out their own Bill. This is a policy which the ordinary Cross Bench mind cannot exactly understand. Possibly my noble friend may say there is no emergency. Why, we hear of nothing else but "emergency." Every measure that is brought in is an "emergency measure." You have emergency armies and emergency expenditure. Emergency camps have been formed for Volunteers, with emergency allowances for the wives and children of Volunteers attending camp. While this is the position, I cannot but think that "evasion" more aptly than "emergency" describes the Government measures and actions; for, instead of doing what they should do, instead of enforcing the existing system, they evade it, and by a Bill which was brought before the House a few days ago they will do much to destroy the Volunteer force by dividing it into two classes. Men who went into the force for home defence simply are now invited to become a sort of appendage, a sort of tail, to the different regiments of the Army, and in the result, when the excitement is over and has passed away, it will be found that a great evil has been done to the Volunteer force by dividing it into two classes—into "go-and-fights" and "stay-at-homes." I am sorry that the noble Viscount the Commander-in-Chief is absent from the House, as he generally is when an Army Bill is under discussion. I do not like to refer to a man's words in his absence, but he was reported to have said a few days ago at a Volunteer dinner that he hoped that in future a company of Volunteers would be attached in time of

war to every regiment of the Line. I hope not. If they are, the Volunteer force will, I fear, cease to be a permanent institution in our military system such as it ought to be. The Government, instead of enforcing and perfecting the old military system, have thus, as regards the Volunteers, destroyed it. When my noble friend the Secretary of State for War laid his Bill on the Table in 1899 there was no emergency, all was quiet; but since then war has arisen, the "emergency" is there. Why then does he not proceed with his Militia Ballot "Emergency" Bill? The answer is plain—a dissolution, not in sight in 1899, is, we are told, not far distant now. There is nothing in what I am saying that should offend the Government, because we are perpetually reminded by them that the Militia Bill is most unpopular, and that the nation hates the idea of conscription and all that sort of thing. Now, my Lords, is this the case? The Government, in their emergency measures, are trading on the patriotism of Volunteers, begging them to become soldiers, but they absolutely ignore the patriotism of the country, and they say that the people of this country would not stand the existing law being put in force even for the defence of their hearths and homes. I am sure that is a libel on the people of this country, and that any Government which had the courage and manliness to speak out and submit this modified form of service for home defence only, would meet with ready response. I may be wrong, but that is my conviction. For nearly forty years I have been working and agitating this question, and wherever I have spoken in any public place of the desirability of having a modified form of compulsory service for home defence, I have met with unanimous support. Such was the view of a meeting of artisans on the Shaftesbury Estate, whom I addressed in 1875, on the occasion of their forming a Volunteer company. And how do we stand in the year 1900? What is the feeling on the subject at the present moment on the part of what I may call the intelligent portion of the community? Here I can speak with accurate *data*, for I hold in my hand a circular which was addressed to Lords Lieutenant, High Sheriffs, chairmen of quarter sessions, chairmen and vice-chairmen of county councils, mayors, provosts, and presidents of chambers of commerce and of chambers of agriculture. This circular contained two questions, the first being as regards our present military system—

> "Are you of opinion that such a state of things should be allowed to continue; and that the safety of the United Kingdom—and all that implies—should be dependent upon the patriotic, self-sacrificing action of a half-trained Volunteer force—held subject only to fourteen days' notice to quit?"

There were 353 replies to that question, in 75 per cent. of which the answer was "no." The circular proceeded to explain what the Militia Ballot was and how it might be applied—not in the drastic form proposed in my noble friend's Bill, but in a modified form. It was suggested that the Ballot law would be sufficient for its purpose if modified, so that instead of applying to all men between eighteen and thirty-five (as the law now stands) it would be sufficient that once in a man's life, on attaining the age of nineteen or twenty, he should have to take his chance of the Ballot, and, if struck, serve for say two years in the Militia and say seven in the Militia Reserve. The second question asked was—

> "Are you of opinion that such a modified form of compulsory service, with the above exemptions, for Home Defence only is right and reasonable, and ought to be readily accepted by the people?"

Out of the 353 replies the majority was two to one in favour of such modified form of compulsory service. Therefore I believe that all this talk about the unpopularity of the Militia Ballot for service at home is all rubbish. If we could only get a Government—I have not seen one yet—who had the courage to state their convictions, how much stronger they would be! I am perfectly certain that if your Lordships simply followed the dictates of your inner consciousness you could not but give a similar answer to that which has been given by all the authorities in the counties and towns of Great Britain to whom I have referred. I therefore trust that—sjambok or no sjambok—your Lordships will support the Second Reading of this Bill, and in supporting it remember this, that you are not voting for the application of the ballot. You are only voting for what the Secretary of State told us two years ago was essential—namely, that this Power, which has become obsolete and out of date, should be brought into working order. That is all this Bill does, and I dare denial on that point.

Although the times may not be alarming they are anxious, and I will tell your Lordships why. When some six or eight months ago I was advocating and pressing upon my noble friend the Secretary of State for War the advisability of having a Volunteer Reserve—an ideal thing, which they have actually botched at the War Office by the way they have dealt with it—I received a letter from an English military attaché abroad. He said in his letter :—

"I am glad to see you are agitating for a Volunteer Reserve, for, believe me, it is essential that England should be invulnerable and strong in the month of November."

The Paris Exhibition will then be over, and I have heard that the Naval authorities in the Mediterranean hold absolutely the same opinion. I pass from this military attaché to a greater authority, and I read in a remarkable speech, that was made not long ago, this sentence —

"It is not necessarily because in themselves they are more important, but if you look round you you will see that the elements and causes of menace and peril are, though slowly, accumulating, and may accumulate to such a point as to require our most earnest and active effort to repel them."

Those are the words of the Prime Minister addressing the Primrose League. Then on 12th February my noble friend Lord Kimberley, who is so much respected in this House, and who always talks the very best and soundest sense, said—

"All around us there was a temper displayed by our neighbours which should make everyone pause and reflect upon the position in which we find ourselves."

Therefore, you have these great authorities saying that if this is not a time of peril it is a time of anxiety ; and no man with his eyes and ears open, and knowing anything of the state of things as regards our armaments, can fail to see that it is desirable that England should be strong at all times, because, if she is strong her Foreign Minister is powerful for good, and if weak he is not. I venture to hope that something will be done to strengthen our home defence, and I would appeal to the independence and patriotism of your Lordships to cast aside all personal and party considerations and vote for what you conscientiously believe to be right and necessary in this matter. If you think that our military system requires that the Bill should be passed I trust you will vote freely and boldly for it. The safety of the nation should be taken out of the domain of party. Foreign affairs and Imperial questions are in the main so dealt with. But where would these be—where would the Empire itself be if it is weak at the heart and we are vulnerable at home ?

Moved, "That the Bill be now read a second time."—(*The Earl of Wemyss.*)

EARL COWPER : My Lords, I do not think my noble friend need have wasted any words in urging us to consider this question not from a party point of view, but from the point of view of the interests of the country. I am sure we shall all do that. For my own part, I have never, even in former days, been in any way taken with the idea of compulsory service, however small or however large. I will not stop to draw the line of difference between conscription and ballot and the present Bill ; they each depend, to a larger or less degree, on compulsion, and we have always looked upon compulsion in this country as a thing not to be resorted to unless it can be proved to be absolutely necessary. If such has been my opinion till now, I cannot say that the events—the momentous events—of the past year —one of the most trying years we have ever gone through—have in the least degree altered my opinion. The one thing that is looked upon with most satisfaction at home, and which foreign nations cannot help admiring, is the magnificent way in which last December, when the country was in difficulties, and serious complications with foreign countries were possible, the whole nation rose to the occasion. All classes of the community volunteered for service, and it was felt that if ten times the number of Volunteers were wanted, ten times the number would be forthcoming. Not only the upper and the lower classes, who have always fought for their country, but also the great middle class, who are, generally speaking, left out in the cold because they furnish neither officers nor men, proved that they, too, were endowed with patriotic feeling and were ready to die for their country. With such an exhibition before us of the facilities for getting Volunteers whenever we want them there is less reason than ever for resorting to compulsion in order to fill up our ranks, and I think it would be almost a slight upon these gallant men to im-

mediately bring in a Bill for compulsion. My noble friend has endeavoured to draw a distinction between defensive and offensive operations. I do not think he would mind having conscription for all purposes, but he does not press for that; he only proposes conscription for the defence of the country. But is it for home defence that we are most likely to want men? In all that has been written and said on the defence of our shores in case of invasion, those have had the best of the argument who have affirmed that as long as we have the command of the sea—and we all admit that when we once lose the command of the sea we are altogether done for—or, at any rate, as long as no other country has command of the sea, it will be absolutely impossible to land an army of any appreciable size upon our shores. I will not press that point, because I know it is disputed, and it is said that we must have something else to fall back upon. Behind the Navy we have our troops and Militia at home, and an excellent and glorious force of Volunteers, which has now attained to such perfection and numbers—so many thousands of men — a force which the Government have expressed their intention of endeavouring, if possible, to increase and to bring to an even higher state of efficiency. That force must, on the whole—in spite of the Bill to which the noble Earl on the Cross Benches so much objected, and which I supported the other night and see no harm in—be a defensive force, because nine-tenths of the Volunteers have no intention whatever of ever going outside the country, and enlist entirely for purposes of defence. It appears to me that where we might be in difficulties is not in defending our own shores, but in defending our world-wide Empire beyond the seas. We may have to send troops at any moment to any part of the world; and in that matter this Bill will not help us in the smallest degree. If we are to have conscription, let us have it for what we want it for, and not for what we do not want it for. If the Government, after carefully considering the whole position, were to bring forward a scheme of this kind, I should say that we were bound to support it whatever our individual feelings may be. But the Government do not want this scheme, and for the House of Lords to try and force it upon them is preposterous. The only excuse there can be for passing this Bill is that it does not much matter what opinion we express in the House of Lords; but I think we ought always to keep before ourselves the idea — the imaginary idea if you like to put it so— that if we vote for a thing it will have some effect. I consider that the only effect this would have, if acted upon, would be a bad effect, and, if not acted upon, it would bring the House into disrepute. I hope that my noble friend will not press for a division, but if he does I trust your Lordships will throw the Bill out by a substantial majority.

LORD NEWTON: My Lords, I have sat for such a short time in this House that it may be thought unfitting that I should express astonishment at anything that occurs here; but I must own that I am filled not with astonishment but with amazement at the conduct of the noble Marquess, the Secretary of State for War. Last year the noble Marquess presented a Bill which was identically the same as the Bill brought in by my noble friend Lord Wemyss; he argued in favour of his Bill to the best of his ability, and now we are asked, I might almost say we are driven down to the House and ordered, to vote against it. I fancy I am not wrong in assuming that this is a very unusual circumstance in your Lordships' House. I do not know what arguments the noble Marquess is going to employ to-day, but if I chose I could adduce very strong arguments in favour of the Bill now being discussed by merely quoting from the noble Marquess's speech of last year. I will, however, content myself by saying that, having had an opportunity of considering the Government's proposals for home defence and the proposal which has been made by the noble Earl, I emphatically prefer the latter. I do not wish to do the noble Marquess any injustice, because I am sure everyone will admit that he has had the interests of his Department at heart as much as, if not more than, any of his predecessors. But the Government's proposals, for which he is responsible, are based upon conjecture, upon invitation, upon appeals, and upon the somewhat artless assumption that the present military enthusiasm will last indefinitely. Nothing new is suggested, except it be the suggestion of the Prime Minister that the ladies of the Primrose League should undertake the defence of the country. At all events, the proposal of

the noble Earl has the merit of being a definite, a practical, and, to my mind, a sound proposal. There is, I presume, no doubt as to the value of our Militia. I take it that one of the lessons of the present war has been to demonstrate that after the Regular Army the Militia is much the most valuable asset we possess. Although considerably below its strength the Militia has been able to provide between 20,000 and 30,000 men for South Africa. Those battalions, if I mistake not, went out as separate units under their own officers. Could the other branches of the Auxiliary Forces have done the same? It is perfectly clear that they could have done nothing of the kind. The Volunteers cannot be compared to the Militia in regard to value, and under those circumstances one would have supposed that the Government would have welcomed any opportunity for increasing so valuable a force. Instead of that we are asked to vote against the rational and common-sense proposal of the noble Earl. This is not the first time that this proposal has been discussed during the present session, and we are familiar with the arguments made use of against it. The last time the subject was discussed the noble Marquess the Prime Minister said he had heard that there was a possibility of the youth of this country flying in shoals from our shores and taking refuge in America and elsewhere, where conscription did not prevail. The Secretary of State did not go so far as that. He held that it would be extremely unwise to make any radical changes in our military system until after the war was over; but the long and the short of those arguments was that the country would not stand such a measure. What steps have been taken to ascertain the opinion of the country in this respect? How can the noble Marquess or anyone else know that the country will not stand it? My firm belief is that if the proposal had been made when the House met it would not have been discounted by the electors, but would have been recognised as a more or less painful necessity. Of course if the proposals in this Bill are described in exaggerated language, and unfair comparisons with conscription as it prevails in foreign countries are made, it is not unnatural that the proposals should be unpopular; but the noble Earl does not suggest the expatriation of the British youth to Wei-hai-wei, Fashoda, or the other side of the globe. His proposal simply is that a limited portion of the population should ballot, and, if the worst comes to the worst, should be called upon to do some eight or nine months military training in the course of their lives. This extremely modified form of compulsion is generally denounced as "un-English." I have but a vague idea of the meaning of that word, but I suppose it means something discreditable. All I can say is that it is very much more discreditable that by far the greater portion of the able bodied men in this country should deliberately shirk their duty as citizens, and that of the male population between the ages of twenty-five and forty not one in ten should discharge the most elementary form of military duty. This is the result of strict adherence—I might almost say slavish adherence—to the Volunteer system. My chief objection to the Government emergency scheme is that it merely amplifies and exaggerates this unsatisfactory and antiquated system. The Government's proposals really amount to this, that the miserably small minority who are now taking the burden of national defence on their shoulders are to do double as much, treble as much, four times as much as they have in the past. I am not ashamed to admit that in common with the noble Earl I feel that one of the first duties of the citizen of a civilised state is to take some share in defending his home and property, and I would go as far as to say that in my view this obligation is almost as great as the obligation to pay rates and taxes. There is, at all events, one point on which both parties will agree, and that is that we ought to show to the world that there is nothing to be gained by attacking us; but we are doing precisely the reverse. Every day we see our responsibilities and our liabilities increase, although I believe that when Ministers come into office they are determined that, as far as they are concerned, not one inch shall be added to the Empire. I have no doubt that when he took office in 1880 Mr. Gladstone never, in his wildest dreams, thought that he would saddle this country with the occupation of Egypt and the Soudan. I doubt also whether the noble Marquess thought he would find it necessary to annex the Transvaal and the Orange Free State, or to enter upon a Chinese expedition. Yet this is what is happening. Every day we see

our Empire increasing, and the chance of hostilities with our neighbours increasing also. For my part I intend to support the Bill, because it seems to me to be contrary to common sense not to adjust our military system in accordance with the conditions of the times. I do not for a moment anticipate that the noble Earl will be successful, but I would urge upon him, although it is quite unnecessary for me to do so, that even if he should be defeated to-day, he should continue putting forward his project, in season and out of season, until more rational views prevail.

*THE SECRETARY OF STATE FOR WAR (The Marquess of LANSDOWNE): My Lords, I have had occasion to address your Lordships not infrequently upon this subject, and I think I can certainly trust my memory when I say that on no one of those occasions have I ever objected to the proposal of the noble Earl on the ground that there was anything un-English about the ballot; nor was anything of the sort suggested by my noble friend who sits behind me. My noble friend recommended your Lordships not to vote for the motion, on the ground that it was inopportune at the present time; and the question is, are we justified, situated as we are at present, in adopting this proposal? It is, of course, for your Lordships to decide how you will deal with the measure; but, speaking on behalf of Her Majesty's Government, I claim that it is for us to say whether we think this Bill should be persevered with at the present time, and I trust that that issue will not be obscured by the eloquence and the epigrams of the noble Earl on the Cross Benches. The noble Earl gave to the House what purported to be an historical account of the origin of the Bill; but it was not a complete account. May I remind your Lordships of the origin of the Bill and of the manner in which the question has been dealt with by Her Majesty's Government? In the year 1898, when the noble Earl brought the matter to your Lordships' attention, I admitted to him and to your Lordships that, in my opinion, the existence of the Militia ballot was of vital importance to the military system of this country. I said that nothing would induce me to part with that great reserve of power; and I also added that the machinery of the ballot was, in my belief, of a more or less obsolete character and required revision. I therefore promised to have that machinery examined, and if the result of that examination justified such a course, to introduce a Bill; but I remember distinctly saying—and that is the chapter of history the noble Earl left out—that her Majesty's Government were not to be understood as pledging themselves either to have recourse to the ballot or to pass a ballot Bill through the Houses of Parliament in that or any other session. I kept my promise. The machinery of the ballot was examined, and the result of the examination went to show that it was by no means so obsolete or unintelligible as had been supposed; and in 1899 I introduced a Bill into your Lordships' House. It has been suggested by the noble Lord who spoke last that we have changed our minds. I say we have not changed our minds. We have laid a Bill on the Table in order that your Lordships might see the form it would take should legislation become necessary, but there never was any announcement of an intention to pass that measure, and there consequently never was an abandonment of such an intention. Then, at the beginning of this session, in the month of February, the noble Earl came down to your Lordships' House and proclaimed the existence of an emergency and called upon us to introduce the ballot. It is true that on the very evening on which the discussion took place he altered the terms of his motion, but we all remember his speech. It proceeded much on the lines of that to which we have just listened, and it was clearly an appeal to the House to decide that for the purpose of meeting the immediate military necessities of this country we should resort to the ballot. On this occasion the noble Earl has appropriated our Bill, and has asked your Lordships to read it a second time, but he has done so with a remarkable expression of his own opinion. He has circulated a paper in which he tells us that enlightened, patriotic public opinion is prepared to accept—what? Not the Bill of Her Majesty's Government, which he is now moving, but another Bill enacting a modified form of compulsory Militia service, as described in an accompanying Paper. When we turn to the accompanying Paper we find a measure sketched out entirely different from that introduced by Her Majesty's Government last year. It

is a measure based on the assumption that every man in this kingdom at the age of nineteen or twenty is to take his chance in the ballot to serve two years in the Militia, and perhaps seven years in the Militia Reserve. It is a totally different Bill.

THE EARL OF WEMYSS: It is much more moderate.

*THE MARQUESS OF LANSDOWNE: Possibly—but it is totally different in principle. But that is not the only point on which the conduct of the noble Earl seems to be somewhat remarkable. The matter was, in his belief, one of extreme urgency in February last. We are now in July. During that long interval the noble Earl has been marking time, and now, after six months, he produces a Bill, not the Bill he would like to see in the statute book, but a Bill which, according to his own showing, does not meet the requirements of the situation. I submit there are two questions which, as practical men of business, we have to consider. The first is—is there the remotest chance of passing this Bill into law during the present session? I cannot conceive that any one will say there is any such chance. The other question is this—supposing that you were to press it through both Houses, would it help you in the least to meet that emergency upon the gravity of which the noble Earl has dwelt in such forcible terms? Your Lordships should clearly understand that the noble Earl advocates this Bill as an improvement upon, or as a substitute for, the emergency measures of Her Majesty's Government; and I say fearlessly that, if his measure or our measures deserve to be characterised by the epithet which he bestowed upon our measures the other evening, it is his measure and not the measures to which we have had recourse. How long would it take the noble Earl, supposing this Bill were to pass, to raise 20,000, or 30,000, or 40,000 men for the Militia? How long would it take him to arm them, to equip them, to provide them with the necessary officers, and to incorporate them in our military *cadres?* I venture to think that months would pass before a single man, under the measure which the noble Earl has advocated, would be fit to be placed in the fighting line. The noble Earl has ridiculed the measures of Her Majesty's Government, and I do not think they were spoken of very respectfully by the noble Lord who spoke from the back benches (Lord Newton). The noble Earl suggested that everything depends upon the strength of our home defences. The noble Lord on the back benches said that all our measures have rested upon conjecture.

LORD NEWTON: So they have.

*THE MARQUESS OF LANSDOWNE: I differ entirely. Take the Royal Reserve battalions. We have got at this moment over 20,000 men, whom I will not describe, but as to whom I should like to quote a sentence from a minute of the Commander-in-Chief. This is what the Commander-in-Chief says of the Royal Reserve battalions—

"As regards the conduct and bearing of those old soldiers who have responded to the Queen's appeal, I have just received reports from eight of the eleven general officers commanding districts in which they are quartered. These reports uniformly describe their bearing, appearance, and conduct as in every way satisfactory, and state that they are likely to be of good value for service at home."

The Commander-in-Chief goes on to speak of them as—

"A force of about 24,000 disciplined and trained soldiers, whose presence in the country was and is an invaluable addition to its defensive strength."

There is no conjecture about that. There is a certain amount of conjecture about the proposal of the noble Earl. These are soldiers whom we have got, and who are spoken of in these terms by the highest military authority in this country. In addition to those we have made very fair progress with the new permanent battalions which we are raising. We have about 5,000 men already. We have about 6,000 men in the newly-raised batteries of the Royal Artillery. I do not think there is any conjecture or imagination about them. As something was said with regard to our treatment of the Volunteers, I trust I may be pardoned if I quote a few words from the report of the Inspector-General of Auxiliary Forces, who has lately had occasion to inspect a large number of those emergency camps to which the noble Earl referred. This is what he says—

"I have this month inspected in camp fourteen Volunteer and nine Militia battalions.

"The improvement which has taken place in both branches from being in camp for prolonged periods is very marked indeed. The behaviour of the men has been excellent. The Volunteers have for the first time been given an opportunity of making themselves really efficient, and they have readily grasped it. 202 battalions out of 217 have applied to come into special camp, exclusive of Volunteer Artillery and Engineers. The battalions of Volunteers which I have seen have come into camp in large numbers, and I have been greatly struck by the improvement which has taken place in every battalion at the end of its fourteen days in camp. The measure of bringing the Volunteers into camp has so far been a remarkable success."

That, again, is a measure about which there is no conjecture, but a great deal of solid fact. With respect to the Militia, we are certainly not prepared to take any action which might be interpreted in the country as a suggestion that we look to the ballot as the proper means of meeting the exceptional military pressure to which we have been subjected this year; I earnestly hope, however, that your Lordships will not suppose that we desire to shirk what I would call the Militia problem. On the contrary, we regard the future of the Militia as, I would almost say, the most important of the questions of Army reorganisation with which it will be our duty to deal. If there had been any tendency on our part to treat that force with indifference I think the manner in which it has lately come forward would have made it impossible for us, even if we had desired to do so, to neglect its interests in the future. But noble Lords who are interested in the Militia may say to me, "If you have got a complete plan for dealing with the Militia why do you not disclose it in this House?" I trust your Lordships will think that I am not unreasonable when I say that it would be impossible for us at this time to present to Parliament a full and complete scheme for dealing with the Militia. The question of Militia organisation is so closely and intimately connected with that of Army organisation that it is impossible to deal thoroughly with the Militia question without touching upon those organic changes with which it is well understood that it is not our intention or our duty to proceed during the present session. The time of Parliament does not permit it, and there are distinguished soldiers now serving out of the country the benefit of whose experience we should endeavour to reap. Those are, to my mind, sufficient reasons for not precipitately touching these problems of Army organisation; but I have no wish to adopt in regard to the Militia what might seem to your Lordships dilatory tactics. If I may, I should like to describe some of the measures affecting the Militia with regard to which our mind is made up and which we see our way to adopting in the immediate future, leaving for further discussion and consideration other measures, which, for the reasons I gave just now, must stand over for the present. I may remind your Lordships, in the first place, that we have already made certain concessions to the force which, I believe, have been well received. We have given the Militia messing allowance during training. We have appointed at the headquarters of the Army a high officer whose special duty is to attend to the Auxiliary forces, and who will be assisted in regard to Militia matters by an officer having experience of that force. We have given to the Militia battalions, for the first time, regimental transport to the extent of five vehicles per battalion and a certain number of horses. Then I come to the question of the clothing of the Militia. I am sorry that my noble friend the Duke of Bedford, who called attention to this matter so pointedly the other evening, is not here to-day. I promised the noble Duke that I would make inquiry into the subject, and I admit that as a result of the inquiries I have made I am satisfied that in the matter of clothing we have allowed what I suppose I might call considerations of frugality to prevail rather too much, and that clothing has sometimes been issued to the Militia which one could scarcely ask a British soldier to wear without some injury to his feelings of self-respect. I am prepared to say that action will be taken without loss of time to remedy that grievance, and although I would rather not go into matters of detail I will say that I will undertake that in the future clothing shall be issued to the force under conditions which will make it impossible for any colonel of Militia to make such a complaint as that which was made by the noble Duke the other evening. Then we have paid a good deal of attention to the instruction of Militia officers. We have prepared a scheme under which Militia officers will be given much more frequent opportunities of attending

courses of instruction, and that under conditions which will avoid their being put to any private expense during the course of their attendance. I hope we may also be able to do something to add to the efficiency of Militia non-commissioned officers, by which I do not mean the permanent staff, but those of non-commissioned officers who belong to the Militia. They require a larger amount of training than they get, and I hope we shall be able to arrange that they shall receive that training and that the terms on which they will receive it will be such as to render them willing and ready to submit to it. I will say one word on a much vexed question, the question of the training of Militia recruits. I have discovered a very remarkable divergence of opinion with regard to that subject; it is one of those cases in which undoubtedly there is a very great deal to be said on both sides. The complaint, as I understand it, is this—that when the Militia recruit is taken to the depôt his training is neglected by the depôt staff, that he has too heavy fatigues imposed upon him, and, above all, that, owing to the practice of training these men at the depôt, a good deal of what may be conveniently described as poaching goes on—the man who goes to the depôt as a Militia recruit being annexed for the Line by the depôt officer. On the other hand there are certain advantages which the depôt undoubtedly possesses. It is there to receive a man at any time and give him his training at the season of the year most convenient to himself, he can be clothed and equipped at once, and he has the advantage of instruction by a permanent staff which I should be inclined to say was better qualified than the permanent staff of the battalion. I can only indicate, in regard to this measure, the direction in which our mind is moving. I hope we shall be able to increase the length of the training undergone by the Militia recruits. These young men join at a time when they are not settled down in life, and probably the addition of two or three months to their period of training would not be regarded as a hardship. If that be done, as it probably will, it is our intention that that portion of the training which takes place with the battalion should be increased, while with regard to that portion of it which might still be undergone at the depôt, I think we might meet some of the complaints which have been made by arranging that one or more Militia officers should be attached to the depôt for the purpose of watching over the interests of the men belonging to their own battalion. Those seem to me to be measures calculated to meet some of the objections to which we have listened. Then I wish to say one word in regard to the most important question of the conditions of service of the Militia and the bounties paid to the Militiamen. A scheme has been put before us and considered under which the whole of the Militia might be allowed to accept liability for service abroad, under which, in consideration of their assuming that liability, the bounties might be considerably increased, with the further condition that the Militia Reserve, which is so unpopular in the estimation of Militia officers, should be put an end to altogether, the whole force accepting the same liability as that under which the Militia Reserve now serves. That is, I must say, a scheme which, to my mind, possesses a great many attractions, and I believe—we have reason to know it—that it is acceptable to a very large number of Militia officers. Whether it would be equally acceptable to the rank and file of the Militia is, perhaps, a matter of conjecture; we only know that the men are very ready to join the existing Militia Reserve, and it seems not unlikely that, in consideration of a higher bounty, they would be ready as a force to accept the same liability as that of the present Militia Reservists. I know that such a scheme has been advocated in this House by a noble Lord whose knowledge of Army matters and whose caution in dealing with them will not be questioned—I mean Lord Northbrook. And I know that when Lord Northbrook made the suggestion he was followed by the noble Earl the leader of the Opposition, who expressed himself in decided terms against any proposal calculated to alter the conditions of service of the Militia force—I mean those conditions under which they are at present liable to serve only within the limits of the United Kingdom. That would, of course, be a very momentous and far-reaching change, and I am not ashamed to tell your Lordships that we must take time to consider it. I have gone into it rather fully for this reason, that it is very closely indeed connected with the question which has been raised by the noble Earl this evening. We none of us,

The Marquess of Lansdowne.

I think, have ever contemplated that there should be compulsion in any shape or form except for service within the limits of the United Kingdom, and it would follow that if the kind of change were made which I adumbrated just now, if the whole of the Militia were to be regarded as liable on an emergency to serve outside the limits of the United Kingdom, you would place the ballot in an infinitely more remote position in the background of military politics than it occupies at the present time. I trust, therefore, your Lordships do not think what I have said in regard to this proposal is irrelevant to the subject we are now discussing. While these matters are still under consideration I do not think we are unreasonable when we ask your Lordships not to proceed further with a Ballot Bill. If it is possible that the conditions of service for the whole force may be changed, if, again, it is possible that the removal of some of those grievances of which we have heard so much should have the result of again filling the ranks of the Militia, the necessity for the ballot will diminish or will disappear; and I therefore think that, far from being, as has been suggested by the noble Earl, illogical and inconsistent because, having introduced this Bill last year, we do not press on with it at present, we are taking the only course which logic and consistency dictate for us. As to the argument of the noble Earl on the Cross Benches, there seem to me, if I may be allowed to say so, to be two weak points in his position. One of them is his inability to recognise any merit in any measures except those which he has himself initiated; the other weak point is this, I think he altogether underrates the dislike with which compulsion in any form, even in the modest form which he advocates, is regarded by the people of this country.

THE EARL OF WEMYSS: How do you know?

*THE MARQUESS OF LANSDOWNE: I know it, among other things, from this, that when I introduced this Bill last year—and the Bill did not really bring us a yard nearer to compulsion—I was inundated with remonstrances from all parts of the United Kingdom, proceeding from people who believed that even that short step carried them nearer to the thing they abhorred. This is felt very strongly, and I do not think the Prime Minister used language of exaggeration last year when he said that at this moment an attempt to revert to the ballot would create consternation in every cottage in this country. For these reasons I would say to your Lordships that while if it could be shown that resort to the ballot could be proved to be an absolute necessity we ought to sit here until Christmas in order to pass it, under present circumstances we shall only be creating a false impression and wasting the time of Parliament if we vote with the noble Earl for the Second Reading of this Bill. I propose to ask your Lordships, therefore, to vote on the previous question.

THE EARL OF WEMYSS: Before your Lordships vote on this Bill I wish, in justice to myself, to put clearly before the House the question on which you are going to vote. I deny that my history, as my noble friend has suggested, was incomplete. The noble Marquess in 1898 said that the machinery of the ballot was obsolete at that time, and that if used at all it would have to be brought up to date. In 1899 my noble friend brought in this Bill, but it is not to impose the ballot, although I myself would be prepared to see that done to-morrow, because I believe we shall never have a satisfactory state of things in an emergency unless we have the courage to enforce the existing law. That, however, is not what we are going to vote on, but on the question that the obsolete machinery should be brought up to date. This is a vital question, and if I can get a teller I shall divide the House.

The previous Question was put, whether the original Question be now put.

Their Lordships divided:—Contents, 31; Not-Contents, 90.

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BEER RETAILERS' AND SPIRIT GROCERS' LICENCES (IRELAND) (No. 2) BILL.

[SECOND READING.]

Order of the day for the Second Reading read.

THE EARL OF ERNE: My Lords, the objects of this Bill are—(*a*) to put applications in Ireland for spirit grocers' retail licences and beer retail licences (in each case for consumption off the premises) on the same footing; (*b*) to extend to Irish licensing authorities in respect of such licences the powers of the English Act of 1882 (45 and 46 Vict. c. 34). The Bill becomes necessary because as the Act of 1882 only provided in terms against its application to Scotland it was considered, until a recent decision in the Irish Courts to the contrary, that it inferentially applied to Ireland as well as to England. The Bill has passed through the House of Commons, and has, I believe, the full assent of the Government of Ireland.

Moved, That the Bill be now read a second time.—(*The Earl of Erne.*)

THE EARL OF DENBIGH: The Bill which the noble Earl has brought before the House has the approval of the Irish Government, but I shall have a few drafting Amendments to move when the Bill is in Committee.

On Question, agreed to; Bill read 2ª accordingly, and committed to a Committee of the whole House on Thursday next.

DIOCESAN REGISTRATION BILL [H.L.].

[SECOND READING.]

Order of the Day for the Second Reading read.

*THE LORD ARCHBISHOP OF CANTERBURY: My Lords, this is a Bill of only four clauses, to enable the Diocesan Documents to be preserved and kept intact over the country. At present some Acts of Parliament require deeds, etc., to be registered, but others omit the direction. The record of a great variety of ecclesiastical documents is very imperfect, and every now and then some such record which is very much wanted cannot be found. I will give your Lordships an instance of what I mean. In 1881 the then vicar of St. George's, Bickley, in Kent, was appointed Dean of Wells, and the question arose in whose patronage Bickley was vested. It was known that an agreement as to patronage had been signed by all parties concerned, but no agreement could anywhere be found. After five months of search and inquiry, and before the lapse, the signed agreement was ultimately discovered amongst some old bankruptcy papers in a disused solicitor's office. It is obvious that that is not a proper state of things. In the spring of 1898 application was made to the Canterbury Diocesan Registry for a patronage agreement relating to Christ Church, Beckenham, which it was stated had been signed by all parties in 1876, but no trace of it could then be found in the registry or elsewhere. It had never been registered. This Bill proposes that documents of this kind should in all cases be registered. I do not think it is likely to meet with opposition from any quarter, and I hope your Lordships will give it a Second Reading.

Read 2ª (according to Order), and committed to a Committee of the whole House on Monday next.

COLONIAL SOLICITORS BILL.

Read 3ª (according to Order), and passed.

MINES (PROHIBITION OF CHILD LABOUR UNDERGROUND) BILL.

Read 3ª (according to Order), with the Amendments, and passed, and returned to the Commons.

PREVENTION OF CORRUPTION BILL [H.L.].

Read 3ª (according to Order): An Amendment made; Bill passed, and sent to the Commons.

VOLUNTEERS BILL [H.L.].

Read 3ª (according to Order), and passed, and sent to the Commons.

MILITIA SERGEANT-MAJORS AND QUARTERMASTERS.

LORD BLYTHSWOOD: My Lords, I beg to ask the Secretary of State for War when he will give effect to his promise of conferring warrant rank on sergeant-majors of Militia; and when the additional allowance for quartermasters of embodied Militia will be authorised.

THE MARQUESS OF LANSDOWNE: As regards the first part of the question, some time has necessarily been taken up in considering the changes in rates of pay and pension which will accompany the grant of warrant rank to sergeant-majors of Militia. We shall, I hope, very shortly be in a position to issue an Army Order on the subject. As regards the second part of the question, the regulation making the grant referred to to Militia adjutants and quartermasters has, I believe, already appeared.

MILITARY LANDS BILL [H.L.].

Debate on Amendment moved after Third Reading resumed (according to Order).

LORD THRING: With the permission of the House I desire to withdraw my Amendments to Clause 3 of this Bill, and I also wish to say a few words of explanation. The two Amendments in the schedule were important ones—one was to allow persons injuriously affected by the scheme, as well as those actually interested in the land, to appear at the public inquiry; and the other was to allow landlords to obtain resumption of their land when required for building purposes. I hope the noble Marquess will have these Amendments introduced when the Bill is in the other House. I do not wish to oppose the measure or to imperil it. What I do wish is that what seems to be a new doctrine should meet with the disapprobation of this House—namely, the doctrine that in order to facilitate the passage of a Bill it is desirable that some of the really substantial clauses should be wrapped in a cloud of generalities. I hope also that the House will express its strong disapproval of a new phraseology which has grown up lately in Acts of

Parliament which allows a Department to adapt actual enactments to the particular exigencies of the case.

Amendments, by leave of the House, withdrawn.

Moved, "That the Bill do pass."

THE CHAIRMAN OF COMMITTEES (The Earl of MORLEY): I must plead guilty to being somewhat late in the criticisms which I have made, but I can assure my noble friend the Secretary of State for War that it is not my desire to in anyway arrest the progress of this Bill. I fully realise the enormous importance of obtaining land for rifle ranges, and I recognise that cases may occur in which a recalcitrant landlord may prevent land which is absolutely necessary being acquired. I should like to call my noble friend's attention to the condition in which Clause 3 leaves the House. It is practically taken from the Acts which enable parish councils to apply to county councils for power to hire land for allotments. The compulsory hiring of land is, with the exception of the provision in the Allotments Act, absolutely a new principle in legislation, and I regret that the conditions under which the compulsory hiring of land for rifle ranges is to be allowed are not more clearly expressed in the Bill. Clauses 9 and 10 of the Act of 1894, which are incorporated in the third clause of this Bill, are extremely difficult to understand. In fact, if I may venture to say so, they are extremely bad clauses, and I would suggest to my noble friend that when the Bill is in the House of Commons an attempt should be made to remodel the clause. Allotments and rifle ranges are very different in character. It is a very different thing to give a parish council or a borough council power to hire compulsorily a few acres of land for allotments, and to give public bodies power to hire a very large extent of country for rifle ranges. There are, therefore, in the clauses which are incorporated, several provisions wholly inapplicable to rifle ranges, and at the same time there are omissions which, I think, the noble Marquess should give his attention to. The omissions I refer to particularly are those which were brought to the attention of the House by Lord Thring and Lord Portsmouth. In the first place, there is the question of those whose land is not absolutely taken, but who may have land adjoining which may be injuriously affected. This question could hardly arise in the case of allotments. Therefore, I venture to think that, in addition to those whose land is actually taken, those whose interests are likely to be injuriously affected should also have power to be heard by the tribunal before whom the question comes. In the case of hiring for allotments, leases are confined to a maximum of thirty-five years. Allotments do not occupy a very large track of country—a few acres at the outside; but in the case of rifle ranges a very large amount of country may be affected, and it is possible that the land may within thirty-five years become a very valuable building estate. I would ask the House whether it is not fair that, as owners of land hired compulsorily for allotments have power to resume possession in cases where, for instance, minerals are discovered, there should also be a power vested in owners under this Bill to appeal for the resumption of their land on other grounds. I would also suggest that if there is any difficulty in carrying this out the case might be met by the maximum length of the lease being reduced to twenty years. There is one other matter. In the case of allotments, as a rule, the originating local authority is the parish council. When a parish council desires to hire land compulsorily for allotments, the first step is to apply to the county council for leave to do so. The county council institutes a local inquiry and ascertains whether the land has not been obtainable by agreement, and whether the opposition is or is not worthy of consideration. If they think fit they give the necessary powers. From the county council's decision after the inquiry there is a further appeal to the Local Government Board. I should like to point out that the preliminary inquiry is eliminated altogether from this Bill. I would emphasise what has fallen from Lord Thring as to the power given to a Government Department to adapt or in any way alter an Act of Parliament. I do not think that is a power which should be given to any Government Department. I hope that, in the passage of the Bill through the House of Commons, clauses will be enacted in the Bill itself which will show those whose land is to be taken exactly what the process is under which

it will be taken. That will be much more satisfactory than referring to two clauses in another Act which contain provisions that do not apply to military lands at all, and which omit several precautions which I think in this case ought to be taken.

*THE MARQUESS OF LANSDOWNE: I hope the noble and learned Lord will not suspect that I complain of his tenacity in this matter. He has given us advice which has been useful, but I am afraid I am in a difficult position, because I have had expert advice from the noble and learned Lord, and I have had other expert advice which does not agree, and therefore I think I am entitled to the sympathy of your Lordships. I am reluctant to accept the schedule proposed by Lord Thring, because there is an objection to including in an Act of Parliament what is in effect an epitome of other Acts of Parliament. I admit that there is a great deal to be said for my noble friend's view that the form in which the Bill has been drawn is unnecessarily obscure. The best proof of that is that it has been understood differently by persons all of whom might have been considered capable of understanding a complicated problem. I am willing to undertake that when this Bill is dealt with elsewhere an attempt shall be made to give effect to the views that have been expressed by the noble Lord the Chairman of Committees—namely, that instead of having recourse to this power of adaptation we should re-enact *mutatis mutandis* the clauses in the other Act. I will also undertake that the two specific suggestions that have been made shall be considered—namely, that owners of building land whose land has been taken for the purpose shall have opportunities of exercising the right of resumption under conditions more advantageous to them than those afforded by the Bill as it now stands, and that adjoining owners who may be injuriously affected by the creation of these rifle ranges shall have some means of obtaining compensation. I trust we shall be able to meet the criticisms, which I readily admit are reasonable criticisms, on these points. I hope we shall be allowed to retain compulsory power of hiring in the Bill, because it is immensely important that rifle ranges should be provided, and it would be a great misfortune if it were in the power of some obstinate and unaccommodating person who owned a small fragment of the necessary land to upset the whole scheme.

THE EARL OF PORTSMOUTH thanked the Secretary of State for War for the undertaking he had given that when the Bill was dealt with in the House of Commons the suggestions he (Lord Portsmouth) and Lord Thring had expressed would be considered, and, if possible, given effect to.

LORD HERRIES: I do not think this Bill should be allowed to pass your Lordships' House in its present unsatisfactory form on the chance of its being amended in another place. Why not postpone the Third Reading and have the Bill amended before allowing it to pass?

THE LORD CHANCELLOR (The Earl of HALSBURY): I would point out to the noble Lord that the Third Reading has been put and agreed to. The motion still pending is "That this Bill do pass."

LORD HERRIES: Then I object to the Bill passing, because it is in an unsatisfactory form.

On Question, agreed to; Bill passed and sent to the Commons.

SCIENCE AND ART DEPARTMENT—BUCKLAND MUSEUM.

THE DUKE OF ABERCORN: My Lords, I beg to ask the Lord President whether any arrangement has been made, or is in progress, for transferring the care of the Buckland Fish Museum to the Fishery Department of the Board of Trade, and for providing a permanent home for the museum: also why this museum, the bequest of which was accepted by the Science and Art Department in trust for exhibition, is now closed to the public, and when it will be reopened.

THE LORD PRESIDENT OF THE COUNCIL (The Duke of DEVONSHIRE): I am very sorry that the Board of Education, who have succeeded to the duties of the Science and Art Department, have been very much occupied recently in other matters, and have not been yet able to make any progress in the communications with the Board of Trade as to the

future disposal of the Buckland Museum. I hope during the recess, if not sooner, to resume those communications, and of course I can assure my noble friend that in the meantime no step will be taken to carry out the recommendation of the Select Committee, which sat a year or two ago, in regard to the removal of this collection. The museum has been temporarily closed owing to the demolition and re-erection of some temporary buildings contiguous to the part of the gallery where the re-erection is to be made, and it became necessary to utilise the part of the gallery where the fish collection is housed during these operations. The museum has, I believe, again been opened to the public to-day.

INDIAN FAMINE—RELIEF MEASURES.

LORD SANDHURST: My Lords, I rise to ask the Under Secretary of State for India whether, in view of the unprecedented severity of the famine and the great distress which must for some time continue after the bursting of the monsoon, the Government of India have in contemplation any extension of the system of relief beyond that laid down in the Famine Code.

THE EARL OF ABERDEEN: Before the noble Earl replies I should like to be allowed to say that any announcement on the part of the Government in the direction indicated in my noble friend's question will be greatly welcomed in the northern part of this kingdom, from which I come. As your Lordships are no doubt aware, there are a great many Scotsmen in India, and their friends in Scotland have received many private letters containing descriptions of the horrors of the famine more vivid than those published in the newspapers. The result is that in Scotland it is hoped, and even anticipated, that the Government may be contemplating some action beyond what has been already announced.

*THE UNDER SECRETARY OF STATE FOR INDIA (The Earl of ONSLOW): My Lords, I am not sure that I apprehend rightly the exact nature of the aim of the noble Earl who spoke last, but I rather gathered that he referred to some kind of grant from the Imperial Exchequer to assist the Government of India. The statement has already been made to Parliament that Her Majesty's Government would come forward with assistance if they were satisfied that the resources of the Government of India were insufficient for the purpose. As far as we know at present those resources are sufficient for the great demands made upon them. Of course an enormous amount depends on the result of the monsoon which has just burst, and therefore it would be impossible for her Majesty's Government to give any promise or to foreshadow what their action might be until we know what is likely to be the condition of affairs during the coming rainy season. The Government of India have already far exceeded the prescriptions of the Code, which are elastic and not rigid, and have been adapted by the Government of India to the differing local requirements to the entire satisfaction of the local Governments concerned. For example, in the Central Provinces a very large number of kitchens have been opened, which will feed all comers during the rains, and the aged and infirm will be relieved at home. The able-bodied labourers will be given local employment by the village headmen at the cost of the State wherever private demand for fixed labour is slack. Sixty lakhs of land revenue have been suspended out of the eighty-six demanded. This sum, added to the twenty-seven lakhs special advances and the thirty lakhs of charitable relief, will, in the Chief Commissioner's opinion, secure active agriculture during the rains. Similar relief measures during the rains have been adopted elsewhere. In Bombay—the Presidency over which the noble Lord (Lord Sandhurst) presided with distinction in recent years—the Government are extending kitchens and gratuitous lists, and they are granting to the ryots advances for the subsistence of themselves and their labourers till next crop. They estimate twenty-five lakhs as the amount required for this, besides over sixty lakhs for seed and cattle. Of the Bombay land revenue only 192 lakhs out of 296 had been collected. In the Punjab the small farmers and labourers will receive subsistence allowances, and the revenue suspensions there are very large. The noble Lord asked me a question as to what are the estimates the Government of India have formed of the amount they will have to advance. These estimates, the earlier estimates, have been consider-

ably increased. In the Budget arrangements fifty lakhs of rupees have been allocated, but the Government of India recognise that this sum is insufficient, and the requirements of the approaching season will be met by an additional 72½ lakhs; accordingly the grants will be increased to an aggregate total of Rx. 1,220,000. The Central Committee of the Indian Famine Fund have made grants aggregating (for British India alone) 50 lakhs of rupees. This is in addition to the provincial charitable relief funds already at the disposal of the local Governments. I hope the noble Lord will see that the suggestion thrown out that advances should be made with no niggardly hand has been adopted by the Government of India. No interest will be asked for them, no part of them will be repayable for a year, and the provincial Governments will have the utmost latitude to remit any portion of an advance they may think fit.

COLONIAL STOCK BILL [H.L.].

[SECOND READING.]

Order of the day for the Second Reading read.

THE EARL OF HALSBURY: The object of this Bill is to enable, under the proper guarantee of the Treasury, that stocks of certain colonies to be brought within the category of those stocks in which trustees may invest under the Act of 1877, and I beg to move that it be read a second time.

Bill read 2ª (according to order), and committed to a Committee of the Whole House To-morrow.

House adjourned at five minutes past Seven clock, till To-morrow, half-past Ten o'clock.

HOUSE OF COMMONS.

Monday, 2nd July, 1900.

PRIVATE BILL BUSINESS.

DUBLIN ELECTRIC LIGHTING BILL. (BY ORDER.)

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."

MR. CAREW (Dublin, College Green): After the very exhaustive discussion of this Bill last week, I do not intend to occupy the time of the House more than a few minutes to-day. It will be in the recollection of hon. Members that the consideration of the Bill was carried at the close of the last debate by the narrow majority of thirteen. Since that date a special Committee, presided over by the hon. Baronet the Member for Colne, which was appointed for the purpose of considering Bills promoted by electric syndicates in the north of England to supply electricity to different towns, have come to a decision which has a very important bearing on the question before the House at the present moment. They considered, that while granting power to these syndicates, it was their duty to safeguard the rights of local authorities by providing that, where a local authority shows its willingness to provide, on reasonable terms and within a reasonable time, a supply of electrical energy, it should not be subjected to the competition of a private company. That proviso represents what the Committee regard as proper in the case of English and Scotch communities. I wish to know why Irish communities should be treated in a different manner. At the present moment the Dublin Corporation has got over the financial difficulties which prevented it from giving to its citizens that supply of electricity which they desired. The strength of the opposition to this Bill lies in the fact that the corporation has not up to the present given satisfaction to the consumers. But it could not do so, because it had exhausted its borrowing powers upon a water scheme which has secured for Dublin the best water supply to be found in the United Kingdom. But last year it set its house in order. It has already spent £89,000 in establishing a generating system, and that proved a failure simply because the amount of money invested in it was too small. To meet that difficulty the Dublin Corporation have now obtained further borrowing powers, and it has arranged for an enlarged scheme by means of which, when it is in full working order, it will be able to give a supply of electricity which, it is

hoped, will afford as much satisfaction to the citizens of Dublin as does the water supply at the present moment. The promoters of this Bill allege that the Dublin Corporation has already had sufficient time to make its supply a success. The reason it has been a failure, however, has been the inadequacy of its capital. That difficulty has now been got over, and I therefore ask the House to apply to Dublin the principle which its special Committee has laid down in regard to English and Scotch schemes, and to reverse the decisions already given in favour of this Bill. If this Bill is passed you will have competing systems in Dublin, which must give rise to friction, as the corporation is the sole road authority. It alone has the right to pull up the streets ; it has established a drainage and water system ; it has laid cables underground, and by means of the further borrowing powers it has obtained it will now be enabled to establish a full and complete system of electric supply. On the Second Reading of the Bill the hon. Member for one of the Divisions of Antrim, whose name is on the back of it, argued in support of it that the new company would be enabled to supply the light on the same terms as those on which it was supplied by many other companies—namely, 4d. per unit. But that argument does not now lie in his mouth, because the result of one clause which has been introduced will be that it will have to establish a scheme under which the light cannot be produced at a cost of less than 6d. per unit. I think the House would be taking a very serious step in departing from the principle laid down by its special Committee for safeguarding the rights of municipal authorities, and I therefore ask it to reject this Bill.

*Mr. FIELD (Dublin, St. Patrick): I beg leave to second the motion. This is a Bill to incorporate a company under the name of the Dublin Electric Light Company, with a share capital of £500,000 and borrowing powers to the extent of £160,000, and it empowers such company to construct works, to break up the streets, and to supply electricity within the city of Dublin in competition with the corporation. I have no desire to detain the House unnecessarily with details because we have quite recently had a long debate on this subject. But I wish to point out that there is a great principle underlying the opposition to this Bill—a principle well worthy the attention of the House. It seems to me rather strange that in a House of 351 Members the motion for the consideration of the report stage of this Bill was only carried by a majority of thirteen. I venture to say that such a small majority is unprecedented, because the tendency of this House has always been to support strongly the decisions of its Committees. It is admitted that this Bill is entirely without precedent, and I therefore contend that we are thoroughly justified in again asking this House to reconsider its decision. It has so far been carried against the wishes and opinion of the Members for Dublin, and I maintain that Dublin is entitled to the same treatment as would be accorded to an English or Scotch city. Although we were defeated by a small majority we now appeal to the House for equality of treatment, on a matter which is non-political, for the city which we represent, because such a measure could *not* be passed for any city in Great Britain. What has occurred since the last debate? A special Committee of this House, which has been sitting upstairs to deal with various Bills seeking electrical powers, has adopted a resolution in further confirmation of the principle that where a local authority shows its willingness to provide, on reasonable terms and within a reasonable time, a supply of electrical energy, it should not be competed with by private undertakers. If that principle is good for England and Scotland, why should it not also be applied for Ireland?

*Mr. BROWN (Shropshire, Wellington): The hon. Member has not read the whole of the resolution.

*Mr. FIELD: No ; I will leave that for the hon. Gentleman. I assert that if competition is not to be allowed by private individuals against municipal corporations in England and Scotland, the same principle should be applied to Ireland. In all English Electric Bills passed this session clauses have been inserted prohibiting the promoter supplying electricity in competition with the local authorities. Yet this Bill will allow such competition against the Dublin Corporation. This would establish through legislation a particular exception as against

Dublin, which is not to be in any way protected against competition in the supply of electricity, although clauses are inserted for the protection of Rathmines, Rathgar, Pembroke, and Clontarf. How is that to be justified? Assume, for the sake of argument, that the Dublin Corporation were now for the first time promoting a Bill with regard to the electric lighting of Dublin. What would be the position of the promoters of the Bill we are now discussing? They would not have even a *locus standi* in this House. They would have no power to oppose the Corporation Bill. But here, because the corporation have already been exercising powers for the supply of electricity, they are now to be subjected to the competition of a private syndicate. Could anything be more extraordinary? I submit that there are broader grounds underlying the opposition to this Bill. There is a great question of public policy involved. It will be generally admitted that that public policy in respect to electric lighting has been clearly laid down by the special Committee on Electric Lighting Bills, and by the House itself in the various Electric Lighting Acts which it has passed. That policy has been in effect to constitute the local authority as the proper party to undertake the duty of lighting within its own district. That being so, I respectfully affirm that the question of determining such a point of public policy should not be dealt with by a Select Committee. It should be left to the House itself, and that is why we are asking this House to reject this Bill. I quite admit that we are taking an unusual course, but then there are exceptional circumstances in this case, and I would suggest that no reflection whatever will be cast upon the Committee if its decision is reversed and the Bill now thrown out. This is the wrong time to pass such a Bill. The Corporation have obtained further borrowing powers which will enable them to carry into effect the plans of an eminent engineer for the proper supply of electric light. I also object in the strongest possible manner to public utilities being handed over to private companies, and I believe the House will vindicate the principle which has been laid down, that public utilities should be left in the hands of the ratepayers generally. Therefore, I am not in favour of the gas monopoly in Dublin, being as strongly opposed to it as are the promoters of this Bill, and I entirely object to permit a further extension of allowing a private syndicate to take over a source of revenue which should be devoted to the reduction of taxation. In English and Scotch cities taxation is being reduced because the municipal authorities have the ownership of the electric light, and it is obviously unfair to the city and citizens of Dublin, who are already so heavily burdened with taxation, that exceptional treatment should be accorded to that city, and that the revenue derivable from public utilities should find its way into shareholders' pockets, instead of going towards the reduction of the rates. In conclusion, I will read a summary of the objections of the corporation to this Bill. They are as follows:—

"1. There is no precedent for such a Bill. Such powers would never be granted in any English or Scotch town, against the local authority.

"2. The Corporation have been providing a partial supply, and within a very short time will have a supply of electricity for the entire city.

"3. All the streets of Dublin are already occupied by sewers, water mains, gas mains, and many streets by the underground feeder cables of the electrical tramways, by underground wires of the National Telephone Company, and postal telegraph wires, and the present Corporation electric light mains. When the Corporation system shall have been completed the opening of the streets by another lighting company would create an intolerable situation.

"4. Capital invested by a local authority under the provisions of an Act of Parliament should be able to claim from Parliament that protection which Parliament always affords to capital invested by statutory companies.

"5. The passing of this Bill would be in derogation of the powers for self-government so recently conferred on Irish municipalities, and the execution of the works thereunder would cause serious inconvenience and injury to the ratepayers of Dublin.

"6. It is idle to contend that this Bill is promoted in the interests of the citizens of Dublin. The Corporation are the representatives of the citizens, and the election of its members is entirely within the control of the citizens."

For those irresistible reasons I beg to second the rejection of this Bill, and I trust the House will throw it out by a substantial majority.

Amendment proposed—

"To leave out the word 'now,' and at the end of the Question to add the words 'upon this day three months.'"—(*Mr. Carew.*)

Question proposed, "That the word 'now' stand part of the Question."

*MR. BROWN said that, speaking on behalf of the Committee which passed the preamble of the Bill, he had to ask the House to support the decision to which it came after a very considerable amount of labour. The hon. Member who seconded the rejection of the Bill had referred to the resolution passed by the special Committee presided over by the hon. Baronet the Member for Colne. But he did not quote the full terms, which set forth that the local authority must be prepared to give a full and adequate supply of electric energy for all purposes, and that, in the event of disputes arising, the question should be submitted to the Board of Trade. The course pursued by the opponents of this Bill in thus renewing their opposition at successive stages and after the Bill had been carefully considered upstairs was most unusual. The Committee, after full inquiry, came to the conclusion that the Dublin Corporation had practically done nothing to carry out the powers it possessed in relation to electrical energy, and therefore an alternative company should be formed and authorised to give the city and some of the out-townships a supply of electric light. A great deal had been said about the difficulties with which the corporation had had to contend, but there was nothing in the evidence to lead him to believe that, if they had been in earnest, they could not have overcome such difficulties. He did not believe that any English corporation would have acted in a like manner. If the Committee had thrown the Bill out they would have given the Corporation of Dublin a monopoly which was not enjoyed by many corporations in England. The policy of Parliament, too, was against the creation of monopolies. As to the question of the roads, he might point out that if the Dublin streets had to be broken up for the service of the private company the corporation could do the work at the cost of the company, so that no conflict of authority would arise. They need not, therefore, fear any difficulty in that respect. Then again, it had been suggested that after a given period of years the corporation would have to buy up the system of the competing company. But that was optional and not compulsory, and if the corporation was giving a good supply he saw no reason whatever why it should have to buy out the company. Under these circumstances he hoped the House would confirm the decision of the Committee.

MR. WILLIAM MOORE (Antrim, N.): I think we have every cause to complain of the pertinacity with which this Bill has been assailed at every step and stage in its career. We had a division on the Second Reading, and those who, like myself, knew the merits of the case were not surprised to find that the Corporation of Dublin, backed and aided by the *Freeman's Journal*, did their best to burke all inquiry and to stifle all discussion with regard to the merits of the measure, and to prevent the Bill going before the Committee. On that occasion the House was satisfied that the Bill had sufficient merits to entitle it to go upstairs, and by a majority of twenty votes it was so decided. The *Freeman's Journal* and the corporation, however, watched the progress of the measure, and nothing could equal the disgust expressed by them when the Committee, after full consideration, found it was their duty to accept the Bill. It may interest the House to see the attitude taken up by this combination of the *Freeman's Journal* and the corporation. The hon. Member for the Elland Division of Yorkshire voted against sending the Bill upstairs, and it would seem to me that as he was to sit on an impartial Committee it would have been better if he had not voted on any issue in the House. In any event, he then voted against the corporation, and the *Freeman's Journal* attacked him as follows—

> "Mr. Trevelyan is supposed to be a Radical, but in this instance he appears to have developed a hostility worthy of Sir Henry Fowler to the Liberal principle of the municipalisation of monopolies. It is not a good beginning to a Liberal career."

That is the way the *Freeman's Journal* criticises the free action of Members of this House. It is part and parcel of the system of tyranny which is never lost sight of when that organ wishes to destroy anything in which the Unionists are interested, and in which the real well-being of the community is concerned. I protest against criticism like that being levelled against a member of a Committee who was simply doing his duty. Then

hon. Members were obliged to come over from Ireland to take part in a division on the Report stage. Again the House affirmed the principle and confirmed the decision of its Committee, and the Report stage was carried by a majority of thirteen. The *Freeman's Journal* then said they would change the scene of operations to the other House; but they have altered their mind, and although no circumstance has changed, we are now asked to reverse the decision of the House on the Second Reading, the decision of the Committee upstairs, and the decision of the House on the Report stage, and we are asked to do this without even any suggestion of any change of circumstances since the Bill was last considered. Interested as Members from Ireland are in having the procedure with regard to Irish Bills facilitated and cheapened, we have a right to complain of the way in which this Bill has been attacked and obstructed at every step. I should like to answer one question put by the hon. Member opposite. He asked what would be the effect of this Bill passing. The effect would be to relieve the people of Dublin from a most grinding monopoly. How has this power in the hands of the corporation been exercised? The Central Hotel in Dublin put up a gas engine because they could not get the power for electricity from the corporation. They had permission from the corporation to make a subway under the street to other parts of their premises. The instant the corporation found that these people were going to run a wire along the subway to supply power generated by this gas engine, the permission for the subway was withdrawn. Irish Members will recognise the name of Todd and Burns, a leading drapery firm in Dublin. They are obliged to supply their electric light with their own engine because it is impossible to get it from the corporation. But when they wished to connect their premises on the other side of the street the corporation immediately threatened to take proceedings against them before the magistrates. In every way the corporation have exercised their powers in the most tyrannical manner, and the desire is to get the traders of Dublin under their thumb in order to dictate the terms upon which they shall have their electric light. It is because of these things the promoters of this Bill have found it necessary to come before the House to ask that the decision of its own Committee should be affirmed, and the Bill passed into law. It really is very amusing to see the course the corporation have adopted. Last year, when the corporation were interested in another Bill, a number of Members of this House were taken across the Channel to see the beauties of Ireland, and they were told that the only view in Ireland as to that particular Bill was in its favour. This year again, with the same purpose—there is no secret about it—the Association of Municipal Corporations were invited; they were entertained in a similar way by the Lord Mayor, and it was endeavoured to pledge them to support this Bill. There is an amusing scene reported in the *Irish Times* of the Lord Mayor and the hon. Member for South Islington sitting after the dinner at the Mansion House. The Lord Mayor says, "The light is very good to-night," and the hon. Member for South Islington, being obliged to praise the light the same as he would have to praise his host's wine if asked a similar question, said it was remarkably good; whereupon the Lord Mayor said there was no necessity for any Bill whatsoever. I think this red-herring business of trying to capture the Association of Municipal Corporations will, under the circumstances, fail. The association seems to have added a new maxim to the constitution—that corporations can do no wrong; but in the present case the Dublin Corporation have had this power since 1891, but have done nothing except spend £90,000, and the people of Dublin are still left without the means of having their houses lighted with electricity, which is one of the commonest facilities in every English town. Under these circumstances I cordially support the Third Reading of the Bill.

MR. HARRINGTON (Dublin, Harbour): I do not think the hon. Member opposite has paid a very high compliment to the House of Commons in the speech he has made. The whole of that speech was formed around a few expressions which, in his judgment, would excite and animate the hostility of this House against the Corporation of the City of Dublin. Time after time reference was made to the Unionists of Dublin. But this is a question which has nothing whatever to do with matters of politics. If you set up a scheme in competition to the cor-

poration, not only will you injure the Nationalist, but also the Unionist ratepayers of the city. I am surprised, too, at the attitude taken up by the hon. Member who presided over the Committee. It was his duty to defend the decision of his Committee when the Bill came to be reported to the House, but the moment he had done that I conceive his duty as chairman ceased; and to make such a speech as his on the Third Reading is to take a distinctly partisan attitude. But I do not think he has impressed hon. Members with his knowledge of how municipalities should be treated, or convinced the House that the Committee over which he presided gave a Bill of this importance that fair consideration to which it was entitled. What is the position of the citizens of Dublin? For the past eight or nine years there has been a partial scheme of electric lighting carried on by the corporation. It was an experiment; it was only a partial scheme. The only feeling of dissatisfaction in the city was that the scheme was not a complete and thorough one extending to the whole of the city. But the corporation was not in a position to extend the scheme to the whole of the city, their means were limited; their borrowing powers were restricted; they had to wait to see whether the system they tried was a success, and they had also to wait until they could get additional borrowing powers. Last year those additional borrowing powers were obtained, and the corporation are now able to go on with the work. The very moment they got those powers they applied to the Local Government Board for money to carry out an extensive scheme of electric lighting. Practically the syndicate promoting this Bill appeared before the inquiry held by the Local Government Board, and gave evidence against the scheme; but, notwithstanding that, the Local Government Board approved of the loan to the corporation. The citizens of Dublin would not object to two rival companies competing with one another in supplying the electric light, but it is a wholly different thing when the citizens have to pay out of their own pocket for any loss occasioned to them by competition with the company. The position with which they are now presented is that they will probably have to invest the money of the ratepayers to buy out the syndicates. There is no provision in the Bill to prevent this. If the corporation goes on with its undertaking simultaneously with the company it will not be a success, and the company have only to give as much trouble as will compel the corporation to buy them out. Would any other city in the Empire be treated in the same way? The hon. Member for North Antrim knows that no other city would be treated in that way by this House. I do not wish to dwell very long upon this question, but I think the hon. Member will admit that there are very few corporations in the United Kingdom that have done as much during the last twenty years to develop their city as the Dublin Corporation.

MR. WILLIAM MOORE: I admit there are very few like it.

MR. HARRINGTON: At all events, what I contend is that you have no right to set up in the city of Dublin what you would not set up anywhere else. The Corporation of Dublin had to come to this House to extend the municipality to the various townships around the city. They endeavoured to establish gas works, but they were absolutely refused the powers, and the only way in which they could enter into competition with the gas company was by means of the electric light. Now it is proposed by this Bill to put the corporation in competition with a new electric lighting company, but it is only a competition against the ratepayers themselves, and on one side or the other they will have to pay. If the company go on with their scheme the ratepayers will have to buy them out eventually, and if the corporation proceed with their own scheme in competition with the company it may not be remunerative. I hope the House will not treat the citizens of Dublin as they have not treated the citizens of any other city in the Empire.

*THE SECRETARY OF THE LOCAL GOVERNMENT BOARD (Mr. T. W. RUSSELL, Tyrone, S.): I am a citizen of Dublin, and a considerable ratepayer, and in that capacity I desire to say a few words to the House upon this Bill. I cannot conceive how it is possible for the hon. Member for North Antrim to introduce politics into this question. How

does the *Freeman's Journal* come into a case of this kind? How does he manage to shoot in the question of the Lord Mayor's salary? How do all those things come into a Bill which ought to be discussed calmly and on its merits? I beg of the House not to be turned aside from doing what I think fair justice to the citizens of Dublin by any political red herring which might be drawn across their track. I speak solely as a citizen of Dublin. I have been asked over and over again how it came about that the Corporation of Dublin, with the powers they have had under the provisions of the Act of Parliament, have neglected their duty in regard to electric lighting, and how it came about that they had failed to give a proper supply. I think anyone who knows the city of Dublin can give a reason for that which will satisfy the House of Commons. It has been said that the borrowing powers of the corporation were exhausted, and therefore they had not the capital. There is more in that statement than the House sees at first sight, for the Dublin Corporation with its limited borrowing powers had to choose between a great scheme of main drainage, affecting the health of the citizens; between spending money on artisans' dwellings or clearing insanitary areas, and the giving of the electric light to a certain number of people. The Dublin Corporation may be all that the Member for North Antrim has stated, but I think the Dublin Corporation has exercised a wise discretion in deciding to purify the main drainage of the city, and build homes for the poor, rather than supply electric light. It is not for the reason which has been put forward that they had failed, but because the corporation had to choose between things which they deemed to be more pressing and more urgent than even the supplying of electric light. How does the question stand now? The Dublin Corporation went to the Local Government Board and asked for an increase of their borrowing powers, and that is quite a common thing for English corporations to do. The Dublin Corporation were charged with a great sum of money borrowed for the waterworks some forty years ago, but they have now been relieved from that charge. They have just got a loan of £275,000 sanctioned by the Local Government Board. Hitherto the corporation have been unable to proceed for lack of funds which have been spent in another way. They have now managed to get released from charges which they could not avoid; they have the money and they have got the scheme sanctioned; and now this company proposes to come in to do the same work and enter into competition with them. Dublin is a poor city and it requires all the relief of the rates which can be given to it. It already makes a handsome revenue out of water, and I think it can also make a revenue and relieve the rates out of the electric light. That is, I think, a fair ground for the corporation to object to this Bill. In view of these facts, and altogether apart from politics—for politics ought never to have been introduced—I think a fair case has been made for the Dublin Corporation. Dublin is not an ideal corporation, and is capable of improvement but I will say—and I speak with a knowledge of many local authorities in England—that I know of no corporation in England or Scotland which is contending against greater difficulties than the Dublin Corporation. It is a very poor city, and therefore anything which will relieve the rates is a very grave consideration for the city. Besides I wholly object two or three years hence, if these gentlemen get their way, to spend the rates of the city in buying them out, for that is really what it amounts to. I beg of the House to mete out to the Dublin Corporation the same treatment it would mete out to any English borough, and if hon. Members will only do that I am not afraid of the issue.

MR. HALDANE (Haddingtonshire) said the case against the Corporation of Dublin was very much more doubtful than people would be led to suppose by just listening to the debate. In proposals of this kind he felt that it was absolutely impossible for them to get at the truth, and he did not think they were assisted even by the fact that they had had a speech from the Chairman of the Select Committee. It was said by the Member for the Harbour Division that the functions of the Chairman should be confined to what the House had relegated to the Committee, which was the question purely of the commercial and other merits of a particular proposal. But in the House they had to deal with general principles, and it had been a puzzle to him more than once to know what broad

line they could lay down for their guidance in these matters. They had a debate in the House not long ago when there was a question of electric powers before the House, and they then got some light on the subject. He was not opposed to giving powers to private firms and individuals, because the supplying of electricity upon a large scale for commercial purposes was not like supplying gas or water; that was a matter which concerned the individual, but electric lighting fell in another category. The House had already laid it down as a principle that where a corporation was able to fulfil the duty of supplying the electric light—and this corporation claimed to fulfil that duty—any private company should be prevented from interfering. That principle gave a broad line of guidance to the House, and unless they adhered to it they would fall into chaos. He was very glad that the hon. Member opposite had made those remarks, because it gave them some idea as to what the views of the Government were.

MR. T. W. RUSSELL: I said that I was not speaking for the Government, but I spoke only in the capacity of a citizen of Dublin.

MR. HALDANE hoped that the President of the Board of Trade would give them the benefit of his great experience in dealing with private Bills, and if he did so he thought the right hon. Gentleman would tell them that it was better to adhere to the general principle laid down. Upon the broad principle that this Bill had nothing to do with municipal trading he was going to vote against this Bill, for it was contrary to the practice of the House, and he felt that they would be getting themselves into difficulties on future occasions, if they did not stick to the rule which had been laid down. If the House were dealing with an application from Edinburgh or from Birmingham, and the views of those places had been made so clear as they had been in the case of Dublin, he had no doubt on which side Members would cast their votes.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. RITCHIE, Croydon): The hon. Gentleman opposite has applied to me in regard to the general principle according to which the Board of Trade act in such cases as this. I have no hesitation in saying that the general principle upon which we act is that where a corporation and a company applied for a Provisional Order we should certainly give the Order to the municipality and not to the company. That is the general principle, about which there is no dispute. But that is not quite on all fours with an application for a new supply, as in this case. I presume hon. Members opposite who oppose the measure will be prepared to admit that this would be carrying the principle a great deal too far. It is said that the Corporation of Dublin have grossly neglected the obligations cast upon them by the Act, and that is alleged as ground of opposition to the measure before the House. Under the circumstances the company were bound to proceed by means of a Bill instead of a Provisional Order. The argument in favour of the Bill is that the corporation have had electric lighting powers for eight years, and have neglected to fulfil their duty. My hon. friend the Secretary to the Local Government Board says there is a good excuse for the corporation not having fulfilled its duty, and the reason he states is that the corporation wanted the money for some other purposes. But they deliberately refrained from raising the money which was required to carry out what was their duty under the powers they had obtained. I confess that if it could be shown that the corporation could not during all those eight years have raised sufficient money to perform their duty both as a sanitary authority and as promoters of the electric light—if that could be shown, then there would be some grounds for the argument put forward by my hon. friend. But I cannot myself believe that the position of the Corporation of Dublin with regard to their powers was so feeble as to render it impossible for them to obtain the money required for the purpose of carrying out their powers under the Electric Lighting Act as well as to perform their ordinary duties as a municipal corporation. My hon. friend has spoken about drainage works, the erection of artisans' dwellings, and the clearing of insanitary areas carried out by the Corporation of Dublin. But such work has had to be performed by every sanitary authority in the kingdom, and if they did not do it they were neglecting their primary duty. The people of Dublin

have complained of the way the corporation have managed electric lighting. [Cries of "No, no!"] Is it to be supposed that the people of Dublin are so stupid and wanting in common sense and knowledge of their own convenience as not to complain about not getting that supply of electric lighting which the corporation had undertaken, when the corporation were only supplying some 215 persons? Is it contended that that is a condition of things under which the citizens of Dublin had no right to complain? In discussing these matters we ought to consider them more from the point of view of the consumer. It is rather curious to remember what took place two years ago in regard to the Marylebone electric lighting scheme. There a company was already in existence, and the vestry applied for a Provisional Order to supply Marylebone with electricity. And what did the company say? The company said it was unfair to inflict upon them competition from a local authority, although they did not mind competition from another company. Now, in the case of Dublin, the boot is on the other leg. In Dublin the ratepayers say they cannot stand the competition of a private company. Although I do not speak upon this question as a member of the Government, yet, for my own part, I am prepared to support the Third Reading of this measure.

MR. HARRINGTON: Perhaps I may be allowed to correct a misapprehension. The Corporation of Dublin had not the power to borrow, to which the right hon. Gentleman has referred. Twice they promoted a Bill for power to allow them to borrow the amount of money which they had expended on their water supply, but their Bill was thrown out in the House of Commons, and it was only the year before last that they carried their measure.

*MR. RUTHERFORD (Lancashire, Darwen): Being a member of the Committee who sat on this Bill, I hope the House will bear with me for a very few minutes while I say a word or two on the merits of the Bill. The position is that the corporation of Dublin have already spent £90,000 upon electric lighting, and one of their own witnesses, Major Cardew, said that they ought to have made a profit with a full load. But the result was, instead of making a profit, they had made a loss of £2,800, which has to be provided by the ratepayers of Dublin for what?—to give an inefficient supply of electricity to 250 consumers. The Secretary to the Local Government Board has stated that this undertaking will be a profitable one, but if the Dublin Corporation cannot manage successfully electric lighting works with a capital of £90,000 how can we expect them to manage successfully an undertaking with a capital of £340,000? Besides it would not be right or fair to overcharge the consumer of electricity in order that the rates might be relieved. Why should Parliament give this monopoly to the corporation when the supply is both bad and dear? Without going further into this question, I hope the House will decide the matter upon its merits. One word in regard to the Municipal Corporations Association. When the Bill was before the House last Tuesday that association sent a circular round which may have influenced a considerable number of hon. Members, but, so far as my research of the records goes, this association has never discussed the evidence given before the Committee at all. I might call the attention of the House to a previous circular issued by this association in regard to electricity Bills, including this very Bill. I submit that is exactly what has taken place in Dublin. Well, I can only say that, after hearing the evidence, that is the decision the Committee arrived at; and even the member of the Committee who differed from us, admitted that the Dublin Corporation had not done what they might or ought to have done. I hope in the interests of the consumer and the development of electricity, the House will confirm the decision of the Committee and pass the Third Reading of this Bill. I have made a research into the records of this association, and I find that it is only a very short time since this question of electricity has come before them at all. But the association had issued a circular previously in regard to Bills before the House, including this very Bill. And what did they then say?—

> "It is submitted that in order to justify the granting of electrical powers to a private company in any town already supplied by the local authority, it ought to be clearly shown that they have failed in their duty, or are not doing their best to develop the undertaking, or are negligent of or indifferent to the wants of the town."

[HON. MEMBERS: No, no!] As one of the members of the Committee, I submit that that was the decision we arrived at; and even the member who differed from us admits that the Dublin Corporation had not done what they could. I do hope, in the interests of the consumer and the development of electricity, the House will pass the Third Reading of this Bill.

*MR. BLAKE (Longford, S.): It seems to me that the course of this debate and the narrowness of the former divisions furnish justification for those who feel strongly, as many of us do, that to pass this Bill would be a calamity to the city of Dublin, and a very great infringement of the rights of the corporation of Dublin to ask once more the judgment of the House upon it. It is well that we should find what the governing principle is which should animate us in considering this Bill. I affirm it to be the settled view of the House that with reference to those public utilities, powers to exercise and take charge of which have been granted by the general law to municipalities, these ought not to be interfered with. I do not say that there is a rule without exception; but the corporation ought to have the first chance at any rate, and a fair chance to discharge their duty. The President of the Board of Trade has pointed out that that is the rule of the Board of Trade with reference to competing applications. In all the Acts which have been passed lately there has been no case in which competition was allowed when the municipality came first, and that is a perfectly right principle to go upon. Those who talk of monopoly being an evil in the case of the Dublin Corporation suggest the very opposite to what I believe has been accepted as a very sound principle. A corporation monopoly is not an evil monopoly, of which an invidious use may be made. It differs from a private monopoly, which is a monopoly for private gain from the discharge of public duties. A monopoly with reference to public utilities granted to a corporation with a popular organisation, such as now exists in Dublin, where there is the popular control of a great city with a quarter of a million of inhabitants and 40,000 voters, is a monopoly of all for the benefit of all. It is not the monopoly of a few for their own private benefit at the expense of all. Where can you have the power of a more vigilant and effective control of the management than when the managers are elected by the ratepayers who gain or suffer? Where you have everything done in public, with the people on the spot watching over the affair, the position is very different from the control exercised by a board of directors of a private company. What is asked here? It is that the corporation should retain full municipal rights in respect to all that class of matters which involve interference with the arteries of the traffic of the city. It is of the greatest consequence that full consideration should be given to the question whether a scheme involves any interference with the streets, as, for example, drains, trams in more modern times, water, gas, and electricity. All these things involve more or less interference with the streets, and that interference would be doubled or trebled if power were given to private individuals or companies to deal with the streets. Moreover, it would render more difficult and remote that to which I look forward—namely, the creation of a great system of subways or conduits under the main streets for the enclosure of all the pipes, wires, cables, and so forth, the machinery of these public utilities, so as to prevent the constant breaking up of the streets. So there is a special reason why the corporation should have not merely the first chance, but the sole power over the streets, and why no additional power of interference with the streets should be given to a private company; otherwise we shall have the corporation breaking up one side of the street and the private company the other—to the inconvenience of the public and the constant interruption of the traffic. Again, if a private company obtains such powers it only means that inevitably at some future time the corporation will, in order to regain full control of their own streets, and their own functions, have to buy out the company at a greatly added expense. Therefore, I maintain that unless a case is made out for altogether exceptional treatment, the Corporation of the City of Dublin have a right to the opportunity of putting into force their full powers for the electric lighting of that city, unhampered by the powers proposed to be given by this Bill. Is there then any reason why you should not give to Dublin that which you give to many other smaller and less important

towns? Dublin is the capital of Ireland; its corporation is very ancient; there are a quarter of a million inhabitants within its restricted limits, and 75,000 sleeping outside these limits; and the opinion of this House has been twice most emphatically expressed that these 75,000 ought to be enclosed within enlarged limits and merged in the electorate of the Corporation of that City of Dublin, which is now said to be incapable of managing its own electric lighting concerns. There is no case here for exceptional treatment An appeal was made by the hon. Member for North Antrim—which, I think, must have been heard with regret—to English and Scottish Unionists not to support the Corporation of the City of Dublin, but to vote for the Bill. I thought, if there was one thing more than another to which the Unionists, of whom the hon. Member claims to be one, had pledged themselves on hundreds of platforms here and in Scotland, it was that, although they would not grant political self-government to Ireland, they would give Ireland the fullest, freest municipal government—equal treatment, similar treatment, simultaneous treatment to that conceded to England. That was the pledge of the Unionists, and now these gentlemen call out for inequality of treatment, for a different treatment. [HON. MEMBERS: No, no!] The House will judge by what has been said, and will decide between the statements of the hon. Member below me, who was a member of the Corporation Committee, and those of the hon. Member for North Antrim. I say, then, that to act in the way proposed by this Bill would be contrary to the general practice, contrary to recent legislation, and to the manner of dealing with much smaller and less important municipalities. It would be an action, I think, unworthy of men who I am sure are honest Unionists, and who should be the last to do it in the special circumstances of this case. It is said, however, that the Corporation of the City of Dublin has shown its incapacity, and that it has been so incapable in the past that it ought to be pronounced impotent for all time to handle such a business as an electric lighting concern. We ought not, I submit, to be very assiduous to enter into the question of whether the corporation have acted well or wisely under their powers. It may be very difficult adequately to deal with that question. We must always remember that if Dublin has erred, it is Dublin that has suffered; if Dublin errs now it is Dublin that will suffer. I look for a future when electric power will be very generally employed, and the electric light put into many houses, and I believe it would be better to give cheap electric light and power, and spread their use than to keep up high prices and limit their use. We ought to do all we can to promote the adoption of the electric light. In Canada and America it is commonly employed in every town of any importance, but here its adoption has been slow and haphazard. The conduct of the whole business of the practical utilisation of electrical energy, especially in the development of electric lighting, is no great credit to the English nation, but rather one to be ashamed of. But I repeat that if Dublin goes wrong on that point of view it is Dublin which will suffer, and if Dublin Corporation keeps going wrong the citizens are well competent to make their representatives, who are yearly elected, do their duty. Dublin, at any rate, did not err by waiting a long time! It was one of the earliest corporations to take up electric lighting while yet in its infancy in this country! It established a small plant at the cost of £30,000—these are facts which I gathered as well as I could from the reports of the proceedings before the Committee. I do not understand it to be denied that the best system and the best materials which were then available were used and the system for some time was satisfactory in its working though the extent was small. It was increased from time to time, but not to the extent which it might have been increased, owing to the limitation of the corporation's borrowing powers. The hon. Gentleman the Secretary of the Local Government Board has pointed out that other things were being done by the Corporation at the same time. But they had been engaged in creating the Vartry water works at a much earlier date, and the money which might have been used for this purpose was so absorbed. £700,000 was deducted from their borrowing powers, which £700,000, in the end, it was acknowledged by this House, ought not to have been deducted, so that difficulty was, but only last year, removed. In that state of the case the corporation, not being able to spend more,

spent gradually up to the sum of £90,000, which was the limit to which they could go. Then as to the quality of the light. In the first instance there was no complaint as to the quality of the light, but after some years it turned out that the cables that had been used, which had been purchased from a firm of the highest reputation, and which were supposed to be the best that could be obtained, from some cause failed; there was something wrong with the rubber casing or something of that kind, and they failed more or less, and the light became unsatisfactory. The same thing happened with several boroughs here. A couple of years ago plans were adopted to make this good, and somewhat to extend the system and bring it up to date; that was done, but there has been some misapprehension as to the cost. It was said that some £30,000 that had been spent had been lost by means of these defective wires and cables, but that is not the fact. I find the cables cost between £4,000 and £5,000, and that £26,000 or £30,000 was taken and mainly used for the purpose of utilising the most scientific knowledge and most scientific machinery in order to bring the extension up to date in accordance with modern ideas. No blame can be put on the corporation for those defective wires. Of course, while the decay was going on and new work and reorganisation was in progress the disorganisation grew greater, and then it was that that item grew up to which the hon. Gentleman referred as a charge upon the rates of £2,800 a year—in reality, of £2,800 for one single year, 1899, at a time when the corporation was re-modelling the whole of the work, and the whole affair was in an impossible condition. But since the works have been re-modelled, confidence has been restored, and a considerable number of new subscribers have come in. As to the quantity of the supply it is totally inadequate. Nobody has said that it is sufficient to light the whole city, and the sufficient reason given for its being insufficient is that the corporation had not the funds to make it so, and that the want of lighting power is due to the want of borrowing power. It is also said that the price is too high, and that may be so, because where you have a small supply, you always do have a higher price than you would with a large supply, because the fixed charges do not rise proportionately with the increased demand. Therefore, you can supply a large number at a lower price per unit than you can a small number. And that is what Dublin wants to do, and is prepared to do, and that is what it is proposed by the promoters of this Bill to do. The hon. Member spoke of a charge upon the rates of £2,800; with regard to this I will give the House a few figures which I have drawn from the reports of the proceedings before the Committee. Since 1892 the Corporation has paid out of the profits, first of all the working expenses, then £1,000 which they have put aside for depreciation account, then over £10,000 for the interest on the construction loans, and over £10,000 more towards the sinking fund for redeeming the capital of the loans. So that over £20,000 has actually been paid out of the receipts in respect of matters which, in the case of a company with a share capital, would not have been chargeable, and thus a substantial dividend would have been realised. That is what the corporation has done apart from the rates. The rates paid during the whole eight years are less than £6,000, the whole of which, save £200, has gone in further payments to the sinking fund for the redemption of the loan. So that what the Dublin ratepayers have done is not to pay for the keeping of the works going even in the last year of disorganisation, but to pay £6,000 towards the redemption of the capital of the loans raised by the corporation for the purpose of creating the works, and Dublin is so much the better off for every penny spent in that way. I have touched upon these questions, but really what we have to deal with is a later and altogether a different situation, the situation which obtained and existed at the time this Bill was applied for. What was it? It was acknowledged that the situation as before was a temporary one and could not last. It was not contended that the corporation could continue with only 250 consumers and eighty lights. It did not think so itself. It had twice made efforts to obtain relief from the limitation of its borrowing powers, and it made a third effort in the year 1899, and the real question is how things moved in that year. In the anticipation of this relief, on the 29th of March, 1899, the corporation called in a consulting engineer who has since been made consulting engineer to the works,

to prepare a scheme, and from that time onward negotiations went on, and a scheme was being elaborated. In the meantime the Bill for their relief was going through Parliament. On the 9th of August the Bill received the Royal Assent, containing a clause striking out the charge in respect to the borrowing powers of £700,000 by a charge on the waterworks. They were therefore free to act on their scheme upon a large scale in the month of September, and on 22nd September the agreement with the engineer was reported to Council. It was not until the month of November that notice was given of this Bill, so that the corporation, when they saw the prospect of obtaining these borrowing powers, had, even before the Bill passed, in the hope that it would pass, moved in this matter. Notice of this Bill, as I said, was given in November. What happened? The expenditure being about a quarter of a million, application was made to the Local Government Board to sanction the loan. There was the usual public inquiry and the loan was opposed; but it was sanctioned; and tenders were invited with the most satisfactory results. The proposed charge per unit on the average between public and private lighting is about 3½d., comparing favourably with the company's valuation. It is plain, therefore, that the moment the corporation had the funds—and even in anticipation of getting the funds—they took such steps as they could. They proceeded with due diligence, and they had their scheme in order long before this Bill came to Parliament. With regard to coal the generating station is at a convenient point, and the price of coal there will be as cheap as anywhere in Dublin, and there is no reason why the corporation's plan should not result in their producing electric light as cheaply and as satisfactorily as it would be produced by any public company. The people of Dublin want their own electricity. Their council ask for it, and their members speak for it in this House. Then why should their aspirations be set aside, and a company set up to do that which is pre-eminently the work of the corporation. Is it because Dublin was so much earlier in this matter than other cities here that she is to be treated as a defaulter now? The question of default has to be treated as at the time of the default; I show here that the question of default does not now arise. Here Dublin has got the money, and she is ready to go on; the problem was attacked, and the determination arrived at before there was any notice of this Bill. Is it to be said that that determination is to receive exceptional treatment? Is that the Unionist notion in England or Scotland? Is it because Dublin has too much of this work to do? The Dublin Corporation has only got the water, which it does well. It has not got the gas, and it has not got the trams. It has only got the water and, as it hopes, the electric light, which it is now in a position to undertake—that is all. I suggest it would be a fitting thing for this House to leave the corporation and the people of Dublin to deal with their own electric light, to let the Dublin people manage their own affairs according to their own desire. It is they who will gain by success, and it is they who will lose by failure. Let them take the risk, if they wish to take it, with a free hand and full responsibility. I believe you would do so if Dublin were in England or Scotland, and I hope you will do so even though Dublin be in Ireland.

*COLONEL HUGHES (Woolwich): The Local Government Board of Ireland, after an inquiry in which all interests were heard, lately granted powers to the Corporation of Dublin to borrow over a quarter of a million of money. That was done for the purpose of enabling the corporation to go on with their scheme. If we go against the decision of the Local Government Board in Ireland, we will admit of proceedings which are very adverse, if not entirely ruinous, to the Dublin Corporation. I admit that the corporation have been in default. They might have borrowed this money before, but whatever the fault previously to the powers for this loan being obtained, they had to prepare their plans and say how much money they would require when application was made for borrowing powers. That scheme was initiated before this Bill came before Parliament. The powers were granted to the Corporation of Dublin to enable them to go on. I am bound to say if the Corporation of the City of London were in the same position, and if they had received the sanction of Parliament to borrow enough money to go on with the scheme, I do not think this House would allow the City of London

to be hampered in carrying out their views. I do not see, for my part, why the City of Dublin, which may have been dilatory in the past, should not have a fresh start. There has been no default since this loan was granted, and I see no reason to dispossess the corporation of their prior right to light their own city.

MR. T. M. HEALY (Louth, N.): It is stated that you are doing by this Bill what you would not do for any city in England or Scotland, but I repudiate that suggestion. I say that in my judgment the gravest injustice would be done to the ratepayers of Dublin generally unless this Bill is passed. Fancy an English city appealing to me as an Irishman under these conditions: "For ten years I have covered the ground, and by the Statute of 1882 I have been able to shut out all competition. I have expended in these ten years £100,000 of the ratepayers' money. How many of the ratepayers have I served of the quarter of a million people in my area? I have served exactly 250." What right would any English municipality have to come to me and say, "Now will you, as an Irish Member exercising your vote in this House, see that no competition with an authority of that kind is to be tolerated until the end of time?" That is the sole position, and I say for myself that if any English corporation from Manchester to Leeds, and from Leeds to Bradford, having had the expending of £100,000 of the citizens' money, and was only able to supply 250 people in the interval, made such a request I would freely vote to allow some competition to be introduced. My hon. friend the Member for North Longford has said, and said truly, that electric lighting is in a disgraceful position in the three kingdoms. Why? Because of this Act of 1882; because, instead of allowing competition and the free play of enterprise and capital, you said, "We will give it over solely and wholly into the hands of municipalities." That was the policy Parliament laid down in 1882. You had to correct it in 1888, and you had to make a further correction in 1890. We have to take up this position—should there be free trade in a matter of this kind, or should there not be free trade? That is the whole question. I want to know what satisfaction it is to me to pay sevenpence to the corporation. If they were John Smith, I would kick against it. What satisfaction is it to me that it is the ratepayers' money that is being spent? I want the electric light for twopence-halfpenny—I do not care whether it is from the corporation or anybody else. Then it is said, "Oh, if you grant this Bill you will have to provide £300,000 or £400,000 at some other time to buy out this company." The only places where sums of money have been given to electric lighting companies to buy them out were places where the corporations had no rights at all. The companies started, and the corporations bought them out after they had been put on a good footing, and it was well worth their while to do so. What is the case here? They have got their own rights and their own powers. We are told that they have got the means of carrying it out. Why do they not carry it out, and why should not the citizens get the benefit on the one hand of the action of the corporation, and on the other hand of the action of the promoters of this Bill? I want to know the necessity for buying anybody out. Give them a fair field and no favour. If it is in the interest of the corporation to buy them out let them do so. I do not see why a corporation, having spent £100,000, and prepared to spend £300,000, should be anxious to buy anybody out. The only other point I wish to allude to is this: we are told that the corporation have now got a new scheme, and that the old defects were owing to the fact that they started originally with no borrowing powers and with a small capital. I want to know, if I have any undertaking what business I have to get a monopoly if I have not the means of carrying that monopoly into effect efficiently. Why should the corporation begin such an undertaking upon a small capital? Would any merchant be listened to in such a case? Supposing I make nails or anything else, and I begin with a small capital, and I claim that you should not let anybody interfere with me. Would that be listened to for a moment? Why is what is regarded as absurd in the case of an individual to be sacred in the case of a corporation? Why did they begin with insufficient funds? Why did they throw away £100,000 of the ratepayers' money? If they threw away that sum, why should the corporation now be allowed to shut out anybody else who

are prepared to do better what they have failed to do? Before the corporation's scheme can be carried into effect the permission of Pembroke township, through two miles of which the mains must run, must be got, and Pembroke township is fighting the corporation tooth and nail in the Committee of the House of Lords, and Pembroke will never give that permission.

MR. TREVELYAN (Yorkshire, W.R., Elland): There is a clear understanding that Pembroke will withdraw its opposition.

MR. T. M. HEALY: I should like to know upon what grounds that clear understanding was given. Pembroke has been asked again and again to withdraw its opposition, and the solicitor for the Pembroke township said he would do his best in the matter. I have discovered that the same gentleman is also the solicitor for the Dublin Gas Company. I want to know also why is it that the most effective lobbyist—and I never knew a Bill to be lobbied as this has been—has been using his influence against this Bill? The statement of the hon. and learned Gentleman opposite has been challenged by the Member for the Harbour Division as to the action of the corporation in regard to the Central Hotel. All I have to say about it is that I have received a communication from that company myself bearing out everything the hon. Gentleman opposite has said upon that subject. I do not think, however, that this question should be considered from that point of view at all. I think we have now arrived at much bigger issues. The question is whether this House will allow Free Trade to be established where there has been in the past a total failure on the part of municipalities to do their duty.

MR. DAVID MACIVER (Liverpool, Kirkdale): I desire to say a word in support of the hon. Gentleman opposite. The promoters of the Bill are the Dublin Corporation. I have lived through the history of a kindred enterprise—I refer to the tramways of Liverpool. Exactly what occurred there is, I believe, what will occur in this case, if this Bill is granted, and this company comes into the domain of the corporation. It will not be many years until, as in the case of the Liverpool tramways and the Birkenhead tramways, the corporation at considerable expenditure of the ratepayers' money have to buy out the private company then in possession. This company is not a company of philanthropists. They do not go there for the purpose of conferring some gift on the citizens of Dublin. I think they go there with the idea of making money for themselves when they have created a successful concern. It is merely on that ground that I wish to speak strongly in support of those hon. Members who are opposing the Bill. I cannot sit down without saying that, as a strong Unionist, whether this involves the question of Home Rule or not, we should look at this as one of the matters which principally, I would say almost entirely, concern the Corporation of Dublin. Can it be supposed for a moment that if Ireland had charge of her own local affairs Dublin would be treated differently from any city in England? For these reasons I intend to vote against this Bill and to give what support I can to the corporation.

Question put.

House divided:—Ayes, 168; Noes, 174. (Division List No. 166.)

AYES.

Anstruther, H. T.	Bigwood, James	Chamberlain, J. Austen (Worc'r
Archdale, Edward Mervyn	Blakiston-Houston, John	Chaplin, Rt. Hon. Henry
Arnold-Forster, Hugh O.	Bond, Edward	Cohen, Benjamin Louis
Arrol, Sir William	Boscawen, Arthur Griffith-	Colston, Chas. Edw. H. Athole
Atherley-Jones, L.	Boulnois, Edmund	Cook, Fred. Lucas (Lambeth)
Atkinson, Rt. Hon. John	Bowles, Capt. H. F. (Middlesex	Cooke, C. W. Radcliffe (Heref'd)
Bailey, James (Walworth)	Bowles, T. Gibson (King's Lynn	Cornwallis, Fiennes Stanley W.
Bainbridge, Emerson	Brassey, Albert	Courtney, Rt. Hn. Leonard H.
Balcarres, Lord	Brown, Alexander H.	Crilly, Daniel
Baldwin, Alfred	Brymer, William Ernest	Cross, Herbert S. (Bolton)
Banbury, Frederick George	Campbell, Rt. Hn. J. A. (Glasgw	Curran, Thos. B. (Donegal)
Barry, Rt. Hn. A. H. S. (Hunts	Carvill, Patrick George H.	Curran, Thomas (Sligo, S.)
Barry, Sir Francis T. (Windsor	Cavendish, V. C. W. (Derbysh.)	Curzon, Viscount
Beach, Rt Hn W. W. B. (Hants.)	Cecil, Evelyn (Hertford, East)	Dalrymple, Sir Charles
Beaumont, Wentworth C. B.	Cecil, Lord Hugh (Greenwich)	Digby, J. K. D. Wingfield-

Dixon-Hartland, Sir F. Dixon
Dorington, Sir John Edward
Douglas, Rt. Hon. A. Akers-
Drage, Geoffrey
Egerton, Hon. A. de Tatton
Elliott, Hon. A. Ralph D.
Fergusson, Rt. Hn. Sir J. (Mnc'r
Ffrench, Peter
Field, Admiral (Eastbourne)
Finch, George H.
Finlay, Sir Robert Bannatyne
Fisher, William Hayes
Foster, Colonel (Lancaster)
Foster, Sir M. (Lond. Univ.)
Fox, Dr. Joseph Francis
Fry, Lewis
Gedge, Sydney
Gibbs, Hon. Vicary (St. Albans)
Gibney, James
Godson, Sir Augustus Frederick
Goldsworthy, Major-General
Gordon, Hon. John Edward
Goschen, George J. (Sussex)
Goulding, Edward Alfred
Graham, Henry Robert
Gull, Sir Cameron
Gunter, Colonel
Halsey, Thomas Frederick
Hamilton, Rt. Hon. Lord George
Hanbury, Rt. Hon. Robert W.
Hanson, Sir Reginald
Healy, Thomas J. (Wexford)
Healy, Timothy M. (N. Louth)
Henderson, Alexander
Hickman, Sir Alfred
Hill, Rt. Hn. A. Staveley (Staffs)
Hoare, Edw Brodie (Hampstead
Hornby, Sir William Henry
Houldsworth, Sir Wm. Henry
Howard, Joseph
Howell, William Tudor
Hozier, Hon. James H. Cecil
Hudson, George Bickersteth
Jackson, Rt. Hn. Wm. Lawies
Jebb, Richard Claverhouse
Johnson-Ferguson, Jabez Edw.
Johnston, William (Belfast)
Johnstone, Heywood (Sussex)
Kearley, Hudson E.
King, Sir Henry Seymour
Lafone, Alfred
Lawson, John Grant (Yorks.)
Lecky, Rt Hon William Edw. H.
Leigh-Bennett, Henry Currie
Leighton, Stanley
Lockwood, Lt.-Col. A. R.
Lowe, Francis William
Lowther, Rt Hn J (Kent)
Lyttelton, Hon. Alfred
Macaleese, Daniel
Macartney, W. G. Ellison
M'Calmont, Col. J. (Antrim, E.
Manners, Lord Edward W. J.
Middlemore, J. Throgmorton
Moon, Edward Robert Pacy
More, Robt. Jasper (Shropshire)
Morgan, W. Pritchard (Merthyr
Morris, Samuel
Morton, Arthur H. A (Deptford)
Murray, Rt. Hon. A. G. (Bute)
Murray, Charles J. (Coventry)
Murray, Col. Wyndham (Bath)
Myers, William Henry
Newdigate, Francis Alexander
Nicholson, William Graham
Nicol, Donald Ninian
O'Connor, James (Wicklow, W.
O'Neill, Hon. Robert Torrens
Paulton, James Mellor
Percy, Earl
Phillpotts, Captain Arthur
Pierpoint, Robert
Pilkington, R. (Lancs Newton)
Plunkett, Rt. Hon. Horace C.
Pollock, Harry Frederick
Powell, Sir Francis Sharp
Pretyman, Ernest George
Rankin, Sir James
Remnant, James Farquharson
Renshaw, Charles Bine
Richards, Henry Charles
Ridley, Rt. Hon. Sir M. W.
Ritchie, Rt. Hon. Charles T.
Rothschild, Hon. Lionel Walter
Round, James
Russell, Gen. F. S. (Cheltenham
Rutherford, John
Saunderson, Rt. Hon. Col. E. J.
Seton-Karr, Henry
Shaw-Stewart, M. H. (Renfrew
Sidebottom, W. (Derbyshire)
Smith, Abel H. (Christchurch)
Smith, J. Parker (Lanarks.)
Stanley, Edward J. (Somerset)
Stewart, Sir Mk. J. M'Taggart
Sturt, Hon. Humphry Napier
Sullivan, Donal (Westmeath)
Sullivan, T. D. (Donegal, W.)
Thorburn, Sir Walter
Tomlinson, W. E. Murray
Walrond, Rt. Hn. Sir W. H.
Warde, Lieut.-Col. C. E. (Kent)
Welby, Lt.-Col. A. C. E. (Tauntn
Welby, Sir Chas. G. E. (Notts.)
Wentworth, Bruce C. Vernon-
Willoughby de Eresby, Lord
Wilson, John (Govan)
Wodehouse, Rt Hn E. R. (Bath)
Wolff, Gustav Wilhelm
Wortley, Rt. Hon. C. B. Stuart-
Wylie, Alexander
Wyvill, Marmaduke D'Arcy
Young, Commander (Berks, E.

TELLERS FOR THE AYES—
Mr. Arthur O'Connor and
Mr. William Moore.

NOES.

Abraham, William (Cork, N. E.
Acland-Hood, Capt. Sir Alex. F.
Aird, John
Allan, William (Gateshead)
Allison, Robert Andrew
Ambrose, Robert
Ashton, Thomas Gair
Austin, Sir John (Yorkshire)
Austin, M. (Limerick, W.)
Baird, John George Alexander
Baker, Sir John
Bethell, Commander
Bhownaggree, Sir M. M.
Billson, Alfred
Blake, Edward
Blundell, Colonel Henry
Bramsdon, Thomas Arthur
Broadhurst, Henry
Brunner, Sir John Tomlinson
Bryce, Right Hon. James
Buchanan, Thomas Ryburn
Bullard, Sir Harry
Burns, John
Burt, Thomas
Buxton, Sydney Charles
Caldwell, James
Cameron, Sir Charles (Glasgow
Campbell-Bannerman, Sir H.
Causton, Richard Knight
Cawley, Frederick
Channing, Francis Allston
Clancy, John Joseph
Clark, Dr. G. B.
Crombie, John William
Daly, James
Dalziel, James Henry
Dilke, Rt. Hon. Sir Charles
Dillon, John
Donelan, Captain A.
Doogan, P. C.
Douglas, Charles M. (Lanark)
Duckworth, James
Dunn, Sir William
Emmott, Alfred
Evans, Sir Francis H. (South'ton
Evershed, Sydney
Fardell, Sir T. George
Farquharson, Dr. Robert
Fenwick, Charles
Field, William (Dublin)
FitzGerald, Sir R. Penrose-
Fitzmaurice, Lord Edmond
Fitz Wygram, General Sir F.
Flannery, Sir Fortescue
Flavin, Michael Joseph
Fletcher, Sir Henry
Flower, Ernest
Flynn, James Christopher
Foster, Sir Walter (Derby Co.)
Fowler, Rt. Hon. Sir Henry
Galloway, William Johnson
Goddard, Daniel Ford
Gold, Charles
Gourley, Sir E. Temperley
Gray, Ernest (West Ham)
Gurdon, Sir William Brampton
Haldane, Richard Burdon
Hayne, Rt. Hn. Charles Seale-
Heaton, John Henniker
Hedderwick, T. Charles H.
Helder, Augustus
Hogan, James Francis
Holden, Sir Angus
Holland, William Henry
Horniman, Frederick John
Houston, R. P.
Hughes, Colonel Edwin
Humphreys-Owen, Arthur C.
Jacoby, James Alfred
Jones, David Brynmor (Sw'nsea
Keswick, William
Kinloch, Sir John Geo. Smyth
Laurie, Lieut.-General
Lawson, Sir W. (Cumberland)
Leese, Sir Joseph F. (Accrington
Leng, Sir John
Lewis, John Herbert

Llewelyn, SirDillwyn(Swans'a
Loder, Gerald Walter Erskine
Lowles, John
Macdona, John Cumming
MacDonnell,Dr.M.A.(Q'n'sC.
MacIver, David (Liverpool)
Maclean, James Mackenzie
Maclure, Sir John William
MacNeill, John Gordon Swift
M'Arthur, Charles (Liverpool)
M'Dermott, Patrick
M'Ewan, William
M'Ghee, Richard
M'Hugh, Patrick A. (Leitrim)
M'Kenna, Reginald
M'Laren, Charles Benjamin
Malcolm, Ian
Mappin, Sir Frederick Thorpe
Massey-Mainwaring,HnW.F.
Mendl, Sigismund Ferdinand
Montagu, Hon. J. S. (Hants)
Montagu, Sir S. (Whitechapel)
Morgan, Hn. F.(Monmouthsh.
Murnaghan, George
Norton,Captain Cecil William
Nussey, Thomas Willans
O'Brien, James F. X. (Cork)
O'Brien, Patrick (Kilkenny)
O'Connor, T. P. (Liverpool)
O'Dowd, John
O'Keeffe, Francis Arthur
O'Kelly, James
O'Malley, William
Parnell, John Howard
Pease, Herbert P. (Darlington
Pease, Joseph A. (Northumb.)
Perks, Robert William
Pickersgill, Edward Hare
Power, Patrick Joseph
Price, Robert John
Rasch, Major Frederic Carne
Reckitt, Harold James
Redmond,John E.(Waterford)
Redmond, William (Clare)
Rentoul, James Alexander
Roberts, John Bryn (Eifion)
Roberts, John H. (Denbighs.)
Robertson, Herbert (Hackney)
Robson, William Snowdon
Rollit, Sir Albert Kaye
Russell, T. W. (Tyrone)
Samuel, Harry S. (Limehouse)
Samuel, J. (Stockton-on-Tees)
Scott, Chas. Prestwich (Leigh
Sharpe, William Edward T.
Shaw, Thomas (Hawick B.)
Sheehy, David
Sinclair, Capt. J. (Forfarshire)
Smith, Samuel (Flint)
Souttar, Robinson
Spencer, Ernest
Spicer, Albert
Steadman, William Charles
Stephens, Henry Charles
Stevenson, Francis S.
Strachey, Edward
Tanner, Charles Kearns
Tennant, Harold John
Thornton, Percy M.
Trevelyan, Charles Philips
Vincent, Sir Edgar (Exeter)
Wallace, Robert
Wanklyn, James Leslie
Warr, Augustus Frederick
Wason, Eugene
Wedderburn, Sir William
Whiteley, George (Stockport)
Whiteley,H.(Ashton-under-L.
Whittaker, Thomas Palmer
Williams, J. Carvell (Notts.)
Wilson, Charles Henry (Hull)
Wilson-Todd,Wm. H.(Yorks.)
Woods, Samuel
Wrightson, Thomas
Wyndham, George
Young, Samuel (Cavan, East)
Yoxall, James Henry

TELLERS FOR THE NOES—Mr. Carew and Mr. Harrington.

Words added.

Main Question, as amended, put, and agreed to.

Third Reading put off for three months.

CUMBERLAND COUNTY COUNCIL (BRIDGES) BILL.

As amended, considered.

Motion made, and Question proposed, "That Standing Orders 223 and 243 be suspended, and that the Bill be now read the third time."—(*Mr. Caldwell.*)

MR. JOHN ELLIS (Nottinghamshire, Rushcliffe): I wish to ask the hon. Member whether this motion has the approval of the Chairman of Ways and Means.

MR. CALDWELL (Lanarkshire, Mid): That is so. It may be taken for granted that all these motions standing in my name have the assent of the Chairman of Ways and Means.

Question put, and agreed to.

Bill accordingly read the third time, and passed.

PRIVATE BILLS (STANDING ORDER 62 COMPLIED WITH).

MR. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bill, referred on the First Reading thereof, Standing Order No. 62 has been complied with, viz.:—

London, Walthamstow, and Epping Forest Railway (Abandonment) Bill.

Ordered, That the Bill be read a second time.

PRIVATE BILLS [Lords] (STANDING ORDERS NOT PREVIOUSLY INQUIRED INTO COMPLIED WITH).

MR. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bills, originating in the Lords, and referred on the First Reading thereof, the Standing Orders not previously inquired into, and which are applicable thereto, have been complied with, viz.:—

Manchester Corporation Tramways Bill [Lords].
South Shields Corporation Bill [Lords].
Withington Urban District Council Bill [Lords].

Ordered, That the Bills be read a second time.

PROVISIONAL ORDER BILLS (STANDING ORDERS APPLICABLE THERETO COMPLIED WITH).

MR. SPEAKER laid upon the Table Report from one of the Examiners of

Petitions for Private Bills, That, in the case of the following Bill, referred on the First Reading thereof, the Standing Orders which are applicable thereto have been complied with, viz.:—

London (St. Marylebone) Provisional Order Bill.

Ordered, That the Bill be read a second time To-morrow.

PROVISIONAL ORDER BILLS [Lords] (STANDING ORDERS APPLICABLE THERETO COMPLIED WITH).

Mr. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bills, originating in the Lords, and referred on the First Reading thereof, the Standing Orders which are applicable thereto have been complied with, viz.:—

Electric Lighting Provisional Orders (No. 6) Bill [Lords].

Electric Lighting Provisional Orders (No. 8) Bill [Lords].

Gas Orders Confirmation (No. 1) Bill [Lords].

Ordered, That the Bills be read a second time To-morrow.

GLASGOW AND SOUTH WESTERN RAILWAY BILL [Lords].

SOUTH EASTERN RAILWAY BILL [Lords].

Read the third time, and passed, with Amendments.

LINCOLN CORPORATION (TRAMWAYS) BILL [Lords].

As amended, considered; to be read the third time.

PLYMOUTH, STONEHOUSE, AND DEVONPORT TRAMWAYS BILL.

As amended, considered.

Ordered, That Standing Orders 223 and 243 be suspended, and that the Bill be now read the third time.—(*Mr. Caldwell.*)

Bill accordingly read the third time, and passed.

SHEFFIELD DISTRICT RAILWAY BILL [Lords].

As amended, considered; to be read the third time.

BURY AND DISTRICT WATER (TRANSFER) BILL [Lords].

GLASGOW BUILDING REGULATIONS BILL [Lords].

GREAT GRIMSBY STREET TRAMWAYS BILL [Lords].

LIVERPOOL OVERHEAD RAILWAY BILL [Lords].

NORTH EASTERN RAILWAY BILL [Lords].

PRESTON CORPORATION BILL [Lords].

RAMSGATE CORPORATION IMPROVEMENTS BILL [Lords].

SHEFFIELD CORPORATION BILL [Lords].

Read a second time, and committed.

MARGATE CORPORATION BILL [Lords]. (BY ORDER.)

Ordered, That it be an Instruction to the Committee on the Margate Corporation Bill [Lords], to insert in Part VIII., page 50, after Clause 97, a provision to the effect that the scheme for the establishment of a superannuation fund under this part of this Act shall not come into operation until it has been registered by the Registrar of Friendly Societies under the Friendly Societies Act, subject to the provisions of this part of this Act.—(*Mr. Strachey.*)

EDUCATION BOARD PROVISIONAL ORDERS CONFIRMATION (BRIGHTON AND PRESTON UNITED DISTRICT, ETC.) BILL [Lords].

Read the third time, and passed, without amendment.

ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 9) BILL

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 7) BILL.

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 9) BILL.

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 13) BILL.

PERTH AND PAISLEY GAS PROVISIONAL ORDERS BILL.

Read the third time, and passed.

LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDERS (HOUSING OF WORKING CLASSES) (No. 2) BILL.

LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDERS (No. 3) BILL.

LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDERS (No. 4) BILL.

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 15) BILL.

As amended, considered; to be read the third time To-morrow.

BARRY RAILWAY (STEAM VESSELS) BILL [Lords].

Reported [Preamble not proved]; Report to lie upon the Table, and to be printed.

RAILWAY BILLS (GROUP 7).

Mr. DE TATTON EGERTON reported from the Committee on Group 7 of Railway Bills, That Mr. Robert Cameron, one of the members of the said Committee, was not present during the sitting of the Committee this day.

Report to lie upon the Table.

Ordered, That the Committee on Group 7 of Railway Bills have leave to make a make a Special Report in the case of the Tramways Provisional Orders (No. 5) Bill. —(*Mr. de Tatton Egerton.*)

TRAMWAYS PROVISIONAL ORDERS (No. 5) BILL.

Reported, with Amendments, and Special Report [Provisional Orders confirmed].

Report and Special Report to lie upon the Table, and to be printed.

Bill, as amended, to be considered To-morrow.

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 10) BILL.

Reported, with Amendments [Provisional Orders confirmed]; Report to lie upon the Table.

Bill, as amended, to be considered To-morrow.

EDINBURGH CORPORATION BILL [Lords].

Reported, with Amendments; Report to lie upon the Table, and to be printed.

COVENTRY CORPORATION BILL.

Reported from the Select Committee on Police and Sanitary Regulations Bills (Section B), with Amendments; Report to lie upon the Table, and to be printed.

HASTINGS CORPORATION BILL.

Reported from the Select Committee on Police and Sanitary Regulations Bills (Section A), with Amendments; Report to lie upon the Table, and to be printed.

MESSAGE FROM THE LORDS.

That they have agreed to — Local Government Provisional Orders (Gas) Bill, without amendment.

That they have agreed to—North Warwickshire Water Bill and Widnes and Runcorn Bridge Bill, with Amendments.

That they have agreed to—Amendment to Leith Burgh Provisional Order Bill [Lords], without amendment.

That they have passed a Bill intituled, "An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts, 1882 and 1888, relating to Berwick-upon-Tweed, Harrow-on-the-Hill, Malton, the extension of the area of supply of the Midland Electric Corporation for Power Distribution, Limited, Newhaven, Seaford, Thirsk, Totnes, Witney, and Woking." Electric Lighting Provisional Orders (No. 7) Bill [Lords].

Also a Bill intituled, "An Act to confirm certain Provisional Orders made by the Board of Trade under The Tramways Act, 1870, relating to Bredbury and Romiley Urban District Council Tramways, Huddersfield Corporation Tramways, Hurst Urban District Council Tramways, Kearsley Urban District Council Tramways, Prestwich Urban District Council Tramways, Reddish Urban District Council Tramways, and Wigan Corporation Tramways." Tramways Orders Confirmation (No. 1) Bill [Lords].

Also a Bill intituled, "An Act to confirm a Provisional Order made by the Board of Education under the Elementary Education Acts, 1870 to 1899, to enable the School Board for London to put in force the Lands Clauses Acts." Education Board Provisional Order Confirmation (London) Bill [Lords].

And also a Bill intituled, "An Act to confer further powers on the Bexhill and Rotherfield Railway Company." Bexhill and Rotherfield Railway Bill [Lords].

ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 7) BILL.

Read the first time; referred to the Examiners of Petitions for Private Bills, and to be printed. [Bill 277.]

TRAMWAYS ORDERS CONFIRMATION (No. 1) BILL [Lords].

Read the first time; referred to the Examiners of Petitions for Private Bills, and to be printed. [Bill 278.]

EDUCATION BOARD PROVISIONAL ORDER CONFIRMATION (LONDON) BILL [Lords].

Read the first time; referred to the Examiners of Petitions for Private Bills, and to be printed. [Bill 279.]

BEXHILL AND ROTHERFIELD RAILWAY BILL [Lords].

Read the first time; and referred to the Examiners of Petitions for Private Bills.

PETITIONS.

INEBRIATES AMENDMENT (SCOTLAND) BILL.

Petition of the British Medical Association, in favour, to lie upon the Table.

SALE OF INTOXICATING LIQUORS ON SUNDAY BILL.

Petitions in favour, from New Barnet (five); and Moreton-in-Marsh; to lie upon the Table.

SALE OF INTOXICATING LIQUORS TO CHILDREN (No. 2) BILL.

Petition from Cambridge, against; to lie upon the Table.

SALE OF INTOXICATING LIQUORS TO CHILDREN (No. 2) BILL.

Petition in favour, from Hunslet Moor; Burnley; Middlesbrough (fifteen); Carlisle (two); Ealing (three); Hollingbourne; Lazenby; Dudley; Great Missenden; Halifax; Birmingham; Monmouth; Kilburn; Penygroes; North Ormesby; Bridlington; Hindringham; Bourne; Northampton; and Leeds; to lie upon the Table.

SALE OF INTOXICATING LIQUORS TO CHILDREN (SCOTLAND) BILL.

Petitions in favour, from Balmaghie; Enzie; and Dundee; to lie upon the Table.

SOLDIERS AND SAILORS ON ACTIVE SERVICE.

Petition from Middlesbrough, for legislation; to lie upon the Table.

SUNDAY CLOSING (MONMOUTHSHIRE) BILL.

Petitions in favour, from Aston Manor; Burnley; Middlesbrough; Dudley; Blaenavon; Carlisle; Lazenby; Hatfield (three); New Barnet; Brierley Hill; North Ormesby; Penygroes; Birmingham; Kilburn; Batley; and Hindringham; to lie upon the Table.

SUNDAY CLOSING (WALES) ACT (1881) AMENDMENT BILL.

Petition from Penygroes, in favour; to lie upon the Table.

RETURNS, REPORTS, ETC.

INDUSTRIAL TRAINING OF GIRLS.

Copy presented, of Report on Industrial Training of Girls in separate and district schools in the Metropolitan District, by Miss Ina Stansfeld, Assistant Inspector [by Command]; to lie upon the Table.

IRISH LAND COMMISSION (JUDICIAL RENTS).

Copy presented, of Return of Judicial Rents during the month of November, 1899 [by Command]; to lie upon the Table.

CONGESTED DISTRICTS BOARD (IRELAND).

Copy presented, of Ninth Report of the Board, being for the period from 1st April, 1899, to 31st March, 1900 [by Command]; to lie upon the Table.

WAR CASUALTIES (NON-COMBATANTS).

Return presented, relative thereto [Address 21st May; *Mr. Humphreys-Owen*]; to lie upon the Table.

PAPER LAID UPON THE TABLE BY THE CLERK OF THE HOUSE.

Lunacy.—Copy of Fifty-fourth Report of the Commissioners in Lunacy to the Lord Chancellor, with Appendix [by Act]; to be printed. [No. 246.]

GAS ORDER CONFIRMATION (No. 2) BILL.

Copy ordered, "of Memorandum stating the nature of the Proposals contained in the Provisional Orders included in the

Gas Order Confirmation (No. 2) Bill."—(*Mr. Ritchie.*)

Copy presented accordingly; to lie upon the Table, and to be printed. [No. 247.]

PARLIAMENTARY ELECTIONS (AREAS TRANSFERRED).

Copy ordered, "of Statement showing, in respect of each administrative county of England and Wales, the under-mentioned particulars in regard to the areas (if any) which have been transferred to such county, and which form part of another county, for the purpose of Parliamentary Elections, in the following form:—

1.	2.	3.	4.	5.	6.	7.
Name of the administrative county in which the area is situated.	Names of parishes or parts of parishes in each such area.	Acreage.	Population, Census 1891.	Number of Parliamentary Electors in 1900.	Name of Parliamentary constituency in which each such area is comprised.	Local Act or Provisional Order by which the area was transferred to the administrative county.

—(*Lord Edmond Fitzmaurice.*)

QUESTIONS.

CHINA—ANTI-FOREIGN OUTBREAK—POSITION AT PEKING.

SIR E. ASHMEAD-BARTLETT (Sheffield, Ecclesall): I beg to ask the Under Secretary of State for Foreign Affairs whether he can give the House any information as to the legations at Peking, the composition and command of the relieving force, and its present position.

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Mr. BRODRICK, Surrey, Guildford): Admiral Bruce, telegraphing from Ta-ku, at 4 p.m., 30th June, states that he has heard from the German Admiral that a Chinese runner three days from Peking, who arrived at Tientsin, 29th June, brought despatches saying that all Europeans were in great distress, that the German Minister had been murdered by Chinese regular troops. The total allied force available is now about 13,000 men. As the troops have been rapidly arriving we do not yet know what arrangements may have been made locally for the command of an expedition, but it has not yet been thought possible to attempt a further advance.

SIR E. ASHMEAD-BARTLETT: Does the right hon. Gentleman say that the advance from Tientsin has not yet started?

*MR. BRODRICK: It has not been thought possible to attempt a further advance.

THE YANG-TSZE PROVINCES.

MR. HERBERT ROBERTS (Denbighshire, W.): I beg to ask the Under Secretary of State for Foreign Affairs whether, with regard to the Yang-tsze Provinces, the Consuls have signed a declaration undertaking not to interfere so long as order is maintained by the Viceroys in those regions; and if so, whether this declaration has been ratified by the representatives of the Powers at Peking; and whether in view of the present state of affairs in China, he will state what steps are contemplated for the protection of British life and property in these provinces.

*MR. BRODRICK: The Consuls have been in communication with the Viceroys, who are quite aware that support will be given them by Her Majesty's Government in preserving order. It is obviously impossible that the representatives of the Powers at Peking should be consulted, as no communications are passing with them. The senior naval officer at Woosung has full discretion to act where necessary.

SOUTH AFRICAN WAR—HOSPITAL AND MEDICAL ARRANGEMENTS—COMMITTEE OF INQUIRY.

SIR H. CAMPBELL-BANNERMAN (Stirling Burghs): I beg to ask the First Lord of the Treasury when he will be able to inform the House as to the constitution and terms of reference of the proposed Committee which is to proceed to South Africa and inquire into the arrangements for treating the sick and wounded.

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester,

E.): I do not think I can make any statement to-day. Perhaps the right hon. Gentleman will put down the question for Thursday.

NEGOTIATIONS PRECEDING THE WAR — THE FIVE YEARS FRANCHISE.

*MR. FLAVIN (Kerry, N.): I beg to ask the First Lord of the Treasury whether he can state on what conditions President Kruger offered a five years franchise before the outbreak of the war to the Outlanders in the Transvaal; and whether he can also state what are the naturalisation qualifications and penalties in Austria, Russia, New South Wales, America, and England.

MR. A. J. BALFOUR: The conditions of President Kruger's offer are contained in the Parliamentary Paper, South Africa, 9521, page 44 and following pages. With regard to the second part of the question I think that the excursion into comparative jurisprudence which I am invited to make is somewhat outside my province.

*MR. FLAVIN: Is not the qualification in Austria ten years? If so, why go to war with Kruger on the franchise?

*MR. SPEAKER: Order, order!

ADMIRALTY TRANSPORT CONTRACTS.

MR. MOSS (Denbighshire, E.): I beg to ask the First Lord of the Admiralty if he will supply to the House a list of all those companies, firms, or persons from whom the Admiralty have chartered steamers during the last twelve months, and also the names of all those firms or individuals who have acted as agents or managers for steamship owners in their negotiations with the Admiralty during the same period; and, whether he will consider the advisability of declining in the future to negotiate or enter into contracts with those steamship owners who carry on their negotiations with the Admiralty through Members of this House.

THE SECRETARY TO THE ADMIRALTY (Mr. MACARTNEY, Antrim, S.): Column 5 of the Return No. 184, ordered by the House of Commons on 6th February last, giving particulars of vessels engaged for the conveyance of troops and horses for South Africa, which is now being printed, will show the names of the owners of all such vessels. I have no objection to furnishing the hon. Member with the names of the firms or individuals who have acted as agents or managers for the owners in their negotiations with the Admiralty. In regard to the last paragraph of the hon. Member's question it would not be in the public interest to exclude all steamship owners or companies who occasionally communicate with the Admiralty through their representatives who are Members of this House, thereby excluding some whose fleets have been invaluable to the nation.

MR. BUCHANAN (Aberdeenshire, E.): When will the Return be presented? It is six months old already.

MR. MACARTNEY: It is being printed. I should think it will be circulated very shortly.

KOORN SPRUIT DISASTER — ROODEVAAL ENGAGEMENT: LOSS OF THE DERBYSHIRES.

MR. SWIFT MACNEILL (Donegal, S.): I beg to ask the Under Secretary of State for War whether, having regard to the announcement in the *London Gazette* of the conferring of the Victoria Cross on four soldiers for their conspicuous bravery during the action of Koorn Spruit, on 31st March, 1900, with particulars of the disposition of the troops on this field of battle, the War Office will now communicate to the public the details of the disaster at Koorn Spruit, and respecting the officer in charge of the convoy when the greater portion of the baggage column and five out of the six guns of the leading battery of the Royal Artillery were captured by falling into the ambush laid for them by the Boers.

*THE UNDER SECRETARY OF STATE FOR WAR (Mr. WYNDHAM, Dover): I will answer this and Question 43 in the name of the hon. Member.

MR. SWIFT MACNEILL: No, no! Take them separately.

Question 43 was as follows:—"To ask the Under Secretary of State for War if he will explain why the account, now in the possession of the War Office, giving the details of the surrender of the 4th Battalion of the Derbyshire Regiment, has been withheld from publication.'

*MR. WYNDHAM: I am not prepared to anticipate by way of question and answer any exercise which the Secretary of State may see fit to make of his discretion to publish despatches and reports on military operations.

MR. SWIFT MACNEILL: Will the War Office publish the name before the General Election?

[No answer was given.]

MR. SWIFT MACNEILL: I wished to put Question 43, but as the hon. Gentleman does not appear to be in his place I will put it to-morrow.

*THE FINANCIAL SECRETARY TO THE WAR OFFICE (Mr. J. POWELL-WILLIAMS, Birmingham): The question has already been answered.

MR. SWIFT MACNEILL: I object to its being answered in the way it was. I will repeat it to-morrow.

INOCULATION AGAINST TYPHOID—PURCHASES OF SERUM.

MR. J. A. PEASE (Northumberland, Tyneside): I beg to ask the Under Secretary of State for War whether the medical expert at Netley Hospital who recommended the inoculation with so-called anti-typhoid serum of troops sent to South Africa has sold serum to the Government; if so, how many doses were purchased from him, and at what price; and, whether the doctor has pecuniarily profited by the sale of the serum.

*MR. WYNDHAM: No, Sir.

MR. J. A. PEASE: Was any serum sold by this individual to the Government?

*MR. WYNDHAM: I am informed there was no sale or profit from the transaction.

ARMY COMMISSIONS GRANTED WITHOUT EXAMINATIONS.

MR. SWIFT MACNEILL: I beg to ask the Under Secretary of State for War if he can state how many commissions in the Army have been, since the commencement of the present war in South Africa, granted to gentlemen who have not passed any military examination, and on what principle of selection have these commissions without examination been granted, and can he say out of the total number of commissions thus granted how many have been given in the Royal Engineers, Royal Artillery, Household regiments, Cavalry, and regiments of the Line respectively.

*MR. WYNDHAM: The numbers of commissions granted without examination are as follow:—Engineers, nil; Artillery, 266; Cavalry, 139; Guards, 31; Infantry, 657; total, 1,093. Two commissions were offered to each battalion of Militia; the candidates were nominated by the commanding officers and recommended through the General Officer commanding. In the Volunteers a certain number were offered to each district, nominations resting with the General Officer commanding. A certain number were offered to the Universities, the nominations resting with the University authorities. Commissions were offered to various colonies, the nominations being placed in the hands of Governors in consultation with the Imperial Officers commanding the Colonial forces. Some were placed at the disposal of Lord Roberts. Promotions from the ranks to commissions were also made, some being recommended by Lord Roberts.

MR. SWIFT MACNEILL: Can the hon. Gentleman say approximately how many promotions there have been from the ranks?

*MR. WYNDHAM: We have not got the total number of promotions from the ranks. Fifty commissions were specially allotted to Lord Roberts in addition to any promotions he might recommend for distinguished services on the field. We have not yet got his recommendations.

NATIVE LABOUR IN RHODESIA.

MR. BAYLEY (Derbyshire, Chesterfield): I beg to ask the Secretary of State for the Colonies whether Her Majesty's Government has received from the British South Africa Company proposals for the further regulation of native labour in Rhodesia, and will he state whether the subject is now under his consideration; and whether any Reports have been received from the Resident Commissioner in Rhodesia as to the condition and treatment of natives under the British South Africa Company's administration; and, if

so, whether they will be communicated to the House.

THE SECRETARY OF STATE FOR THE COLONIES (Mr. J. CHAMBERLAIN, Birmingham, W.): The British South Africa Company have informed me that the administration of Southern Rhodesia is not yet in a position to submit its proposals. In December last I requested the High Commissioner to instruct Sir M. Clarke to furnish a report upon the recruiting of labour for the mines, but I have not yet received it, owing, no doubt, to the pressure of military questions and the difficulties of communication.

RED CROSS SOCIETIES—PRUSSIAN KNIGHTS OF ST. JOHN.

*SIR CHARLES DILKE (Gloucestershire, Forest of Dean): I beg to ask the Under Secretary of State for War if the attention of the War Office was called, in connection with the arrangements made with the Red Cross Society in 1898, which appear to have been continued in the present war, to the organisation of the Prussian Knights of St. John, and the nature of the co-operation and division of duties between them and the Prussian Military authorities in time of war; and whether the Secretary of State for War will move the Foreign Office to call upon Her Majesty's Ambassador at Berlin for a Report upon the subject.

*MR. WYNDHAM: Yes, Sir, the attention of the War Office was called to this subject by the report of the British delegate to an International Conference of Red Cross Societies held at Vienna in 1897, and the present organisation is based on that report. The Secretary of State will act upon the suggestion made in the second paragraph of the question.

ARMY ORDNANCE CORPS—TERMS OF RE-ENLISTMENT.

MR. SWIFT MACNEILL: I beg to ask the Financial Secretary to the War Office whether his attention has been directed to the cases of Privates Taylor and White, of the Army Ordnance Corps, who, having served seven years in the Army and five years in the Reserve, had completed their Army engagements, and obtained this year, on re-enlisting into the Royal Reserve, the usual bounty of £12, and have since taken on to complete the service of twenty-one years with the colours; whether he is aware that these men, on re-enlisting for the purpose of serving out the full term of twenty-one years, are now under orders to China, and have been apprised that the £12 bounty which they received will be deducted from their pay; whether, as the former practice under which a man who served five or seven years with the colours and then went into the Reserve could not return to the colours for the purpose of serving out his time so as to be entitled to a pension unless he repaid his deferred pay has been for some time abrogated, he can say on what ground it has been rescinded without notice to the men affected by the alteration; and whether, having regard to the circumstances of the case, it will be provided that Reservists on re-enlistment will not be liable to refund the sums paid to them as bounty.

*MR. J. POWELL-WILLIAMS: The bounty of £12 was specially attached to the engagement for one year's service at home. Men re-enlisting for service at home and abroad to complete twenty-one years' service will have the advantage of a pension at the end of their term. The Secretary of State for War does not consider that such men are entitled to retain the bounty; but the refund is diminished by a deduction of £1 for each month which they have served since their re-enlistment for home service.

MR. SWIFT MACNEILL: Did these men know that the bounty would be taken from them?

*MR. J. POWELL-WILLIAMS: Yes, that was one of the terms of re-enlistment. One of the conditions of re-enlistment for home or foreign service is that the bounty should be refunded.

MR. SWIFT MACNEILL: Will the hon. Gentleman see that in the future the War Office clearly notifies that in such cases the money will have to be repaid?

*MR. J. POWELL-WILLIAMS: I think the notice is perfectly clear. I will, however, look into it, and if it is not sufficiently clear I will see that it is made quite clear.

RESERVE OFFICERS' OUTFIT ALLOWANCE.

MR. SWIFT MACNEILL: I beg to ask the Financial Secretary to the War

Office will he explain why, when all officers of the Reserve rejoining under Paragraph 488, Clause C, of the Royal Pay Warrant (whether ordered on active service or otherwise), have been granted an outfit allowance of £100 to cover the expense of providing themselves with the necessary uniform, exception has alone been made in the case of officers of the Royal Army Medical Corps, and will he say whether the word officer, used in Part I. of the Royal Warrant, includes medical as well as officers of any other corps.

*MR. J. POWELL-WILLIAMS: Outfit allowance will he granted in these cases.

MILITIA COMMISSIONS — EXAMINATION.

MR. SWIFT MACNEILL: I beg to ask the Under Secretary of State for War if he will explain on what ground the examination of Militia officers for commissions in the Army, which it was announced several months previously would be held last March, was cancelled about a fortnight before the appointed time, and may the announcement that a Militia examination for commissions in the Army will be held next September be regarded as definite; and will he say whether the War Office authorities will be prepared to give definite information as to the holding of this examination, having regard to the fact that parents sent their sons at some expense to army tutors to prepare for an examination which was announced to take place in March last and was not held, and to prevent the impression that the examination announced for next September will not be held, and that commissions will be obtained without examination.

The following question on the same subject also appeared on the Paper:—

MAJOR RASCH (Essex, S.E.): To ask the Under Secretary of State for War whether he is now in a position to state whether Militia candidates doing duty with their embodied battalions will be forced to pass a competitive examination in September; and, if so, in what subjects they will be examined.

*MR. WYNDHAM: Perhaps my hon. and gallant friend the Member for the South-east Division of Essex will allow me to reply to his question at the same time. The competitive examination announced for last March was not held because the number of candidates who entered their names was less than the number of commissions offered for competition.

MAJOR RASCH: As the hon. Gentleman has not answered the last paragraph of my question, I will put it again to-morrow.

MILITIA OFFICERS' ALLOWANCES.

MR. SWIFT MACNEILL: I beg to ask the Financial Secretary to the War Office whether, seeing that the taking away of the 4s. per diem messing allowance of Militia officers, formerly allowed them during their annual training, and the substitution of a sum of £100 bounty at the expiration of the period of embodiment, entails expense on married officers (who are compelled during the embodiment of the regiments to keep up two establishments—the mess at the station where they are quartered and a home for their wives and families) a messing allowance can be granted to those officers who are married, in addition to the embodiment bounty.

*MR. J. POWELL-WILLIAMS: The Secretary of State for War is unable to make a distinction between the married and unmarried officer in the direction suggested in the question.

MR. SWIFT MACNEILL: Will the Secretary of State consider the propriety of reverting to the old system, seeing that these gentlemen are suffering a great hardship?

*MR. J. POWELL-WILLIAMS: The Secretary of State has already fully considered the matter.

MR. SWIFT MACNEILL: Then it is a case of very bad judgment.

CHELSEA HOSPITAL.

MR. HEDDERWICK (Wick Burghs): I beg to ask the Under Secretary of State for War if he can state in general terms the qualifications required for election to the Chelsea Hospital, and what is the amount of the pension per diem bestowed upon those who are elected; and whether the pensioners are given any of the tobacco confiscated by Her Majesty's Custom House officers; and, if not, whether there is any reason for denying them a share in a luxury that costs the country nothing.

*MR. WYNDHAM.: In-pensioners are selected from permanent out-pensioners of excellent character, who have been rendered incapable, through wounds or injuries resulting from Army service, or through other causes, provided they are over fifty-five years of age, or who are required for employment in the hospital. The men are paid according to rank, but on admission they receive, as a rule, 1d. a day, supplemented by 1d. a day out of the private revenues of the hospital; their out-pension ceases. Tobacco is provided out of the private revenues derived from the Drouly legacy. The grant of confiscated tobacco is confined to cases in which the purchase of tobacco would otherwise be defrayed out of moneys voted by Parliament.

AUSTRALIAN COMMONWEALTH BILL —SUPREME JUDICIAL TRIBUNAL FOR THE EMPIRE.

MR. LYTTELTON (Warwick and Leamington): I beg to ask the Secretary of State for the Colonies whether he has any information respecting the views of the Australian Governments as to additional judicial appointments in connection with the passing of the Federation Bill.

MR. J. CHAMBERLAIN: I informed the House at the end of the Committee stage of the Commonwealth Bill, in reply to a question from the right hon. Member for the Stirling Burghs, that I was in communication with the Australian colonies through the Australian delegates as to their wishes in regard to the proposed appointment of four additional law Lords, pending the consideration of the question of establishing a Supreme Court for the whole Empire. The delegates had given me to understand that the proposed measure should not be proceeded with, and that Her Majesty's Government should as soon as possible in consultation with the colonies, consider the larger question of a representative supreme tribunal for the whole of Her Majesty's dominions. The delegates placed themselves in communication with the Colonial Premiers in regard to the matter, and I have now received the following telegrams—

"From Governor Earl Beauchamp.
"Dated 26th June, 1900.

"Additional Colonial judicial positions. Prime Minister of New South Wales has been in communication with other colonies for some time. New South Wales, Victoria, South Australia, and Queensland prefer to wait passing permanent comprehensive measure. No reply received from Tasmania and Western Australia."

"From Earl Beauchamp.
"Dated 29th June, 1900.

"Referring to my telegram of 26th June, additional judicial positions, my Ministers advise that Tasmania and Western Australia prefer permanent scheme."

In those circumstances, of course, Her Majesty's Government will not proceed with the Bill which they intended to bring in for the purpose of providing four additional Judges; but they will take the earliest opportunity of consulting with the colonies—including, of course, Canada and New Zealand—with regard to the establishment of a permanent Court.

TOBACCO DUTY—ABANDONMENT OF THE BUDGET PROPOSAL.

MR. T. M. HEALY (Louth, N.): I beg to ask Mr. Chancellor of the Exchequer whether he is aware that a deputation, comprising the largest manufacturers in the tobacco trade in Great Britain and Ireland, waited on the Chairman of Inland Revenue to protest against the abandonment of the Budget proposal to limit the use of oil in the manufacture to 3 per cent.; whether he is aware that honest makers, employing only as little oil as necessity demands, are injured by the character and style of their goods being imitated by a product in which as much as 18 per cent. of oil is introduced as an adulterant; and as this practice injures the manufacturer and causes a loss to the revenue to the extent of 6d. to 7d. per pound, would he, if he received an assurance that such a measure would not be objected to, consent to reintroduce this session the safeguards which he originally proposed.

THE CHANCELLOR OF THE EXCHEQUER (Sir M. HICKS BEACH, Bristol, W.): My attention has been called to the circumstances referred to by the hon. Member, and although the figures given by him are those of an extreme and, I hope, quite an exceptional case, yet the matter is one of undoubted importance to the interests alike of the revenue, of the consumers of tobacco, and of the tobacco trade. I proposed a clause to deal with the matter while the Finance Act of this year was passing

through the House, but did not press it, as objection was taken on the ground of insufficient notice to the trade. If I received such an assurance as the hon. and learned Member suggests I should be glad to renew the proposal this session; but, in default of such an assurance, I feel myself bound by the pledge of the Leader of the House against proceeding with any fresh opposed business this year.

MR. T. M. HEALY: Will the right hon. Gentleman postpone the Bill to enable us to ascertain if there is any really substantial objection?

SIR M. HICKS BEACH: I will consider that.

HOUSING OF THE WORKING CLASSES —ADMINISTRATION OF THE ACT.

MR. DRAGE (Derby): I beg to ask the President of the Local Government Board, having regard to the fact that under the Acts with regard to the housing of the working classes as they now stand no debate on the administration of the Acts can now take place on the Estimates of the Local Government Board, except on the narrow question of audit, whether, as the Bill now before the House as amended in Committee renders it doubtful whether such discussion is possible on the Estimates, he will insert on the Report stage provisions under which it may be possible for the administration of these Acts to be discussed annually on the Estimates of the Local Government Board.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. CHAPLIN, Lincolnshire, Sleaford): Even if the proposal of my hon. friend were necessary or practicable for the purpose he has in view, I should not be in order in moving clauses on the subject without notice; but I am not aware that there is anything in the Bill to render it doubtful whether a discussion on the administration of the Housing of the Working Classes Acts is possible on the Estimates of the Local Government Board. That, however, is, I think, a matter for the Chairman of Committees to decide.

LIQUOR LICENCES—BELGRAVE HOTEL, LIVERPOOL.

MR. SAMUEL SMITH (Flintshire): I beg to ask the Secretary of State for the Home Department whether his attention has been drawn to the circumstances attending the transfer of a liquor licence in Liverpool on 21st June, in which the magistrates granted a licence to certain premises known as the Belgrave Hotel, situate in Bryanston Road, St. Michael's, by way of transfer from premises in Renshaw Street, two miles away; whether he is aware that the applicant admitted that he took the latter premises two months before, solely for the purpose of obtaining a transfer to the Belgrave Hotel; and that a licence for this house had been refused year after year for many years, owing to the opposition of the inhabitants of the neighbourhood; and seeing that on the same occasion the owners of the premises known as the Belgrave Hotel offered to surrender six licences which they held, on condition that a transfer licence was granted to those premises, and actually did so on the licence being granted, whether he proposes to take any action in the matter.

*THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Sir M. WHITE RIDLEY, Lancashire, Blackpool): I have made inquiry into this case, and find that the facts are correctly stated by the hon. Member. The course taken by the magistrates appears to be within their discretion, with which I have no power to interfere; and I can take no action in the matter.

WEST SUSSEX POLICE RESERVE SCHEME.

MR. HEYWOOD JOHNSTONE (Sussex, Horsham): I beg to ask the Secretary of State for the Home Department if he has received an application from the Standing Joint Committee of the Administrative County of West Sussex for his approval of a scheme for establishing a reserve class of superintendents, sergeants, and constables, consisting of men who, having completed their statutory period of service, are entitled to retire on a pension under the provisions of the Police Act, 1890, but who are willing to continue in the force if, in so doing, they incur no risk of forfeiting the pensions to which they are entitled for any causes other than those specified in Section 8 of the Police Act; if he is aware of the difficulty which at present exists in finding suitable candidates for police forces, and of the desirability of

retaining men of good character and of the requisite physical qualifications, who are familiar with the work of police officers, and who are willing to continue their service beyond the statutory period of retirement; and whether, seeing that the desirability of forming a similar class of reserve constables has frequently been brought to his notice, he will state the reason why he has not hitherto seen his way to give his approval to the scheme submitted by the Standing Joint Committee after full consideration of the requirements of the administrative county, and of the best means of meeting them.

*Sir M. WHITE RIDLEY: I see considerable difficulty in the proposal to create such a reserve class as appears to be contemplated. I am, however, in sympathy with the general object of the proposal, but I think that, in order to carry out any such scheme, some modification of the provisions of the Police Act would be desirable, and this I am not prepared at present to introduce.

MANCHESTER TELEGRAPHISTS—"SUPERIOR DUTIES."

Mr. GALLOWAY (Manchester, S.W.): I beg to ask the Secretary to the Treasury, as representing the Postmaster General, whether, although the Tweedmouth Committee decided that telegraphists performing superior duties for nine months should have duty pay, in order to avoid this concession at Manchester properly qualified senior men have been removed from superior duties and placed under junior officers; and whether the Postmaster General will state whether the rule issued in that town, to the effect that no officer must act in a class above his own sufficiently long enough to claim duty pay, is issued with his knowledge and approval.

The FINANCIAL SECRETARY to the TREASURY (Mr. Hanbury, Preston): It has been the practice at Manchester so to arrange that the performance by substitutes of the superior duties shall not be unduly prolonged in individual cases. This is done with the view of giving as many officers as possible the opportunity of qualifying, or showing their fitness for promotion. There is no such rule in force at Manchester, or elsewhere, as that indicated in the last paragraph of the hon. Member's question; and as matter of fact the allowance for the superior duties has been paid in some cases. There are at the present moment two officers at Manchester who are drawing it.

POST OFFICE SICK REGULATIONS.

Mr. STEADMAN (Tower Hamlets, Stepney): I beg to ask the Secretary to the Treasury, as representing the Postmaster General, if the promised rules, regarding temporary transfer to seaside and country offices of officers recovering from serious illness, have been drawn up, and if such transfers will now be allowed.

Mr. HANBURY: As I explained on the 2nd March, 1899, the practice is limited to the following cases:—(1) Officers who have broken down or are in danger of breaking down from overtime performed either compulsorily or in response to a call for volunteers. (2) Cases among such officers of actual or impending illness which can be certified as being due to causes specifically attributable to the nature of the officers' duties.

DUTIES IN ALDGATE AND E.D. POST OFFICES.

Mr. STEADMAN: I beg to ask the Secretary to the Treasury, as representing the Postmaster General, whether his attention has been called to the fact that members of the staff employed at the Aldgate and Eastern District post offices who are engaged upon counter work perform 10 a.m. to 8 p.m., noon to 10 p.m., and 3 p.m. to 11 p.m. duties, and in each case without relief for tea; whether, although a Parliamentary Return, published in 1898, stated that relief was given on the latter duty, the counter clerks are obliged to perform their duties whilst having their meals; and whether the Postmaster General will consent to allow relief to be given to all clerks performing more than eight hours duty.

Mr. HANBURY: It is the case that, in consequence of great pressure of duty at the offices named, no regular period of relief for tea is just now being afforded to the counter staff; but it is recognised that this should be provided for in the case of the officers whose attendance is being prolonged to ten hours; and

arrangements for the purpose are under consideration. The circumstances do not, in the Postmaster General's opinion, call for an extension of the existing rules touching meal reliefs, but in special cases additional facilities are afforded as far as possible.

SCOTTISH SALMON FISHERIES—BLACKSHAW BANK.

MR. SOUTTAR (Dumfriesshire): I beg to ask the Lord Advocate whether he is aware that five police officers of the county of Dumfries—namely, two inspectors, one sergeant, and two constables—were engaged for three days on the Blackshaw Bank, in the county of Dumfries, in measuring the white fish nets of the fishermen residing in the parish of Carlaverock, and in measuring the sandbanks on which the nets are placed, and in generally surveying the Blackshaw Bank for the purpose of giving evidence on behalf of the owners of the salmon fishings in the district of the river Nith in a civil action of declarator against them by the said fishermen; and that two constables have recently been stationed at Glencaple for the sole purpose of getting up evidence on behalf of the owners of salmon fishings in said action; and whether he will take the necessary steps to put a stop to the salmon owners being allowed to get the services of the police in a civil action with which the police have no concern.

*THE LORD ADVOCATE (Mr. A. GRAHAM MURRAY, Buteshire): I am informed that the two constables referred to performed the actual work of measurement, and are now stationed at Glencaple for the purpose of inspecting the nets on the direct request of the District Fishery Board, with a view to the preparation of a report to the Board. These two men are not ordinary constables, but are "additional" constables, employed by the police authority at the expense of the District Fishery Boards within the county under an agreement of long standing made in terms of Section 22 of the Salmon Fisheries Act, 1862, which gives specific power to district boards to "agree with the police committee of any county for the purpose of paying additional constables for the better protection of the fisheries in their district." So far, therefore, as these men are concerned, the proceedings seem to have been perfectly regular. The two constables were accompanied by the senior officer of their respective divisions, and by a sergeant with local knowledge, these three officers being ordinary members of the police force. The Secretary for Scotland has frequently expressed his disapproval of the police being engaged in other than proper police duties. In the present case he has asked for the observations of the Standing Joint Committee on the practice to which his attention has been directed.

GREENOCK RATE COLLECTION.

MR. J. F. X. O'BRIEN (Cork): I beg to ask the Lord Advocate whether the action of the rate collector of Greenock in refusing to receive the poor rate unless the school rate was paid at the same time, is according to the usual practice; and, if not, will he have the matter looked into.

*MR. A. GRAHAM MURRAY: I am informed by the Local Government Board for Scotland that the collector accepts payment of the poor rate although unaccompanied by the school rate during the ordinary progress of his collection but that, acting upon the opinion of his law agent, when a warrant is obtained and handed to an officer to be put into execution, the collector requires the payment of both rates. The Board consider that in so acting he follows a proper course.

MR. J. F. X. O'BRIEN: But is it legal?

*MR. A. GRAHAM MURRAY: I shall be happy to look into that point, and will then give my opinion.

CLONES POST OFFICE.

MR. MACALEESE (Monaghan, N.): I beg to ask the Secretary to the Treasury, as representing the Postmaster General, if the intention of the Department to erect a post office at Clones has been abandoned; and, if not, can he explain the reason why the work is not proceeded with; and can he say has the same decision been taken in the case of Monaghan; and, if not, why have no steps been taken to rebuild the post office there.

MR. HANBURY: The Postmaster General has not abandoned his intention to provide new post offices at Clones and

Monaghan as soon as suitable schemes can be put forward. At Clones a site in The Diamond is now under consideration. At Monaghan a site in Church Square is under consideration.

CASTLEBAR POST OFFICE.

DR. ROBERT AMBROSE (Mayo, W.): I beg to ask the Secretary to the Treasury, as representing the Postmaster General, what progress has been made with regard to the erection of a post office in Castlebar, county Mayo, the site for which has been purchased a considerable time.

MR. HANBURY: A site for a new Post Office at Castlebar has not yet been purchased, but a proposal for the acquisition of a site and the erection of a building has just been received at the Treasury.

DERRY CENTRAL RAILWAY.

MR. T. M. HEALY: I beg to ask the Secretary to the Treasury if he is aware that the Belfast and Northern Counties Railway Company has given notice that they will not continue the working agreement with the Derry Central Railway Company expiring in February next; will he state whether the Belfast and Northern Counties Railway Company have opened negotiations with the Treasury to procure to themselves a forced sale of the Derry Central line on foot of the mortgage debt due to the Treasury by the Derry Central Railway Company; is he aware that such a sale, if carried out, would tend to destroy competition in the district; and that complaints have been made of the Derry Central Railway Company; and that there is a feeling in the districts served against the management of the Derry Central line by the Belfast and Northern Counties Railway Company under their working agreement; will the Treasury give reasonable opportunities to enable the Derry Central Railway Company to arrange with other companies for the working of their line when the agreement expires, and not exercise the power of sale; and will he, in accordance with the policy announced by him in 1895, give a pledge that no sale of this line to the Belfast and Northern Counties Railway Company shall be carried out without full notice and free competition.

MR. HANBURY: The statements in the first two paragraphs are substantially correct. But the Belfast and Northern Counties Company, while refusing to continue the working of the line for another year on existing terms, have not refused altogether to continue it. I have given the Derry Central Company an opportunity of making a counter-offer, and I shall be glad to consider any offer from other quarters. I am aware of the local feeling against the present arrangement. I am considering how far it would apply to the working of the line by the Belfast and Northern Counties Company as part of their own system, and whether effective competition can be expected in this district under any arrangement.

CORK AND WATERFORD TELEPHONE SERVICE.

MR. MAURICE HEALY (Cork): I beg to ask the Secretary to the Treasury, as representing the Postmaster General, whether continual delays are caused in the use of the trunk telephone between Cork and Waterford, owing to its passing through Dublin; and whether it is proposed that this arrangement for telephonic communication viâ Dublin is to be a permanent one.

MR. HANBURY: A return of the trunk wire messages between Cork and Waterford for the months of May and June shows that the average time occupied from the receipt of the calls at the post offices until the subscribers were put into communication with one another was slightly less than ten minutes. The number of messages was less than one a day, and the provision of a direct line between the two places does not appear to be justified at present. In the two months the actual number of messages in both directions was thirty, and the average time occupied 9·9 minutes.

LISTOWEL TELEGRAPHIC SERVICE.

MR. FLAVIN: I beg to ask the Secretary to the Treasury, as representing the Postmaster General, whether he is aware that inconvenience and loss of time and money is caused owing to the fact that telegrams cannot be sent direct from Tralee to Listowel, a distance of only twenty miles, but have to be sent viâ Mallow, Cork, and Limerick, a distance of

about 200 miles; and whether, in view of the dissatisfaction caused by the present circuitous route, steps will be taken to provide direct communication between Listowel and Tralee.

MR. HANBURY: The Postmaster General is not aware that inconvenience and loss of time and money have been caused through the present mode of transmission of telegrams between Tralee and Listowel, but he will have inquiry made and will see whether any improvement can be effected.

DUBLIN POST OFFICE—FEMALE CLERKS.

MR. FIELD (Dublin, St. Patrick): I beg to ask the Secretary to the Treasury, as representing the Postmaster General, whether female clerks in the Post Office, Dublin, forfeit £10 a year in salary on being transferred from London, their hours and duties being equal with their colleagues there; whether men clerks are subject to any similar deduction; and whether he can explain the reason for this exceptional treatment of Irish female clerks.

MR. HANBURY: The maximum of the Dublin scale is £10 less than the maximum of the London scale; and women clerks who are transferred (at their own request) from London to Dublin and are in receipt of pay in excess of the Dublin maximum sustain a loss to the extent of such excess. Men clerks would be treated in the same way under similar circumstances.

IRISH POOR LAW HOSPITALS—INSPECTION.

MR. PATRICK O'BRIEN (Kilkenny): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that union general hospitals and union fever hospitals in Ireland are inspected and reported upon by lay inspectors, and can he state what qualifications these gentlemen possess for the discharge of this duty; is he aware that the Irish Workhouse Reform Association and the Irish Medical Association strongly recommended that those hospitals should be inspected by professional men; and will he see that effect is given to those recommendations.

THE CHIEF SECRETARY FOR IRELAND (Mr. G. W. BALFOUR, Leeds, Central): The inspection of workhouses in Ireland, as in England, is under the general inspectors, who report on the state of the buildings, the cleanliness, order, discipline, the keeping of the books, the finance, and the compliance with the general regulations by the several officers in every department, including the hospital wards. It would not be practicable to exclude these wards from the general inspectors' authority, but when any questions as to medical treatment arise, or where any inquiry has to be held wherein medical knowledge is required, a medical inspector makes a special inspection or holds any inquiry on oath that may be necessary. The question of assigning this work to a special medical inspector appointed for the purpose is under consideration.

COUNTY MONAGHAN WORKHOUSES.

MR. DALY (Monaghan, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the County Council of Monaghan recently passed a resolution in favour of the amalgamation of workhouses; and whether he will direct the Local Government Board to hold an inquiry in the county of Monaghan with a view of ascertaining what workhouses might be closed there.

MR. G. W. BALFOUR: The resolution referred to has been received. The Local Government Board are in communication with the county council on the subject.

FAIR RENTS IN COUNTY CORK.

MR. GILHOOLY (Cork, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether a numbe of applications to have fair rents fixed i the Bantry and Castletown Berehaven unions have been postponed one year and a half ago in order that the revising officers of these unions may revise the valuations; and what is the cause of the delay in connection with them.

MR. G. W. BALFOUR: In twenty-five cases from the Union of Castletown-Bere applications to fix fair rents were adjourned in January last, as it appeared that in each of them there was no separate tenement valuation for the lands which were the subject of the fair rent pro-

ceedings. In these cases a revision of the valuation was necessary to enable the Court to comply with the provisions of Section 55 of the Local Government Act of 1898. The necessary revision will be made by the Commissioner of Valuation during the present year. There are no cases of this kind now pending in the Bantry district.

ORANGE CELEBRATIONS AT DOWNPATRICK.

*Mr. WILLIAM JOHNSTON (Belfast, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he has received a letter from the Deputy District Master of the Orangemen of Lecale, residing in Downpatrick, repudiating the statement that it has been the ordinary practice to prevent the Orangemen walking through Irish Street; whether he is aware that they have been in the habit of going through Irish Street, Downpatrick, every 12th of July, and that on Pretoria Day the street was decorated with loyal flags and illuminated; and will he explain why the demonstration, which was composed of loyalists of all classes, was prohibited by the police from manifesting their joy at the success of the British arms in South Africa.

Mr. G. W. BALFOUR: The reply to the first paragraph is in the affirmative. Apart from the statement of the Deputy District Master, the information before me is to the effect that the Orangemen have not been in the habit of marching through Irish Street every 12th July. Last year, it is true, they did so, but this was the only occasion for a number of years past on which they passed through the thoroughfare. Irish Street was partially decorated on the 5th June. I need hardly say there is no foundation whatever for the statement in the last paragraph.

Mr. FLAVIN: When did the Irish people adopt Pretoria Day as a national holiday? Is there any authority for it?

*Mr. SPEAKER: Order, order!

IRISH CONSTABULARY AT HOLYHEAD.

Mr. PATRICK O'BRIEN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether two members of the Royal Irish Constabulary are stationed at Holyhead; and, if so, with what object; and, will he state what they are paid, and whether the cost of maintaining them at Holyhead is thrown upon Ireland.

Mr. G. W. BALFOUR: Only one member of the constabulary is stationed at Holyhead. He is engaged on ordinary police and detective duty, which includes the arrest of absconding criminals, the detention of stolen property, and the various other duties incidental to an important port in constant communication with Ireland. His pay and allowances, which are at the usual rate, are paid from the Constabulary Vote.

Mr. PATRICK O'BRIEN: Are any British policemen stationed in Ireland and paid for out of the Irish funds?

Mr. G. W. BALFOUR: I do not see how that could be.

R. I. C.—RECRUITING FOR SOUTH AFRICAN SERVICE.

Mr. PATRICK O'BRIEN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether Royal Irish Constabulary recruits are being raised and trained for police service in South Africa; and, if so, out of what fund is the cost taken.

Mr. G. W. BALFOUR: The answer to this question is in the negative.

Mr. PATRICK O'BRIEN: And do I understand they will not be so trained?

Mr. G. W. BALFOUR: Yes.

RELIGIOUS SERVICES AT ARKLOW.

Mr. JAMES O'CONNOR (Wicklow, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the action of the Rev. Mr. Hallowes in insisting upon conducting a Protestant service close to a public meeting in Arklow on Sunday, the 24th of June; whether he is aware that the rev. gentleman had been warned beforehand that his action would be likely to cause a breach of the peace, and that he was permitted by the inspector in charge to carry on his proceedings at the police barrack while the

meeting was being held, to the annoyance of the public and to the Catholic members of the force; and whether the Irish Government will take steps to protect the people of Arklow from such practices of the Rev. Mr. Hallowes.

MR. G. W. BALFOUR: My attention has been directed to the proceedings at Arklow on Sunday, the 24th June. The rev. gentleman had previously been requested by the police not to sing or preach while passing the meeting referred to. Notwithstanding this, however, he did march through the streets and close up to the meeting, his followers singing the while. A breach of the peace being imminent, the police moved him and his party, for their own safety, to the barrack square, in which they continued to carry on their service free from interference and where neither the public nor the police were affected by it. The police had a difficult duty to discharge on the occasion, and they discharged it with tact and efficiency.

*MR. WILLIAM JOHNSTON: Can the right hon. Gentleman say what was the character of the meeting?

MR. G. W. BALFOUR: It was called during the time divine service is usually held.

MR. JAMES O'CONNOR: Have Catholic clergymen ever disturbed Protestant meetings in this disreputable manner?

*MR. SPEAKER: Order, order! That does not arise out of the question.

IRISH TEACHERS' RESULT FEES.

MR. GILHOOLY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he can state what is the amount of the deficit in the results for the year 1899 in District 58; and what effect such deficit will have on the future income of this district.

MR. G. W. BALFOUR: This question will be brought before the Commissioners at their meeting to-morrow. Perhaps the hon. Member will repeat it on Thursday.

NATIONAL TEACHERS IN WORKHOUSE SCHOOLS.

MR. MAURICE HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether in the changes proposed to be introduced in the methods by which national teachers are paid any provision will be made for national teachers in workhouse schools; whether he is aware that many boards of guardians have hitherto made to their teachers a payment corresponding to the results fees in ordinary schools, and that the National Board of Education has assisted the guardians to establish this method of payment by requiring their inspectors to report on the answering of the individual pupils in the workhouse schools in the same manner as in ordinary schools; and whether, as this will in future be no part of the duties of the inspectors, and it will therefore not be possible for the guardians to continue to pay results fees, some provision will be made to prevent the workhouse teachers suffering loss by the proposed change.

MR. G. W. BALFOUR: This matter has already been considered by the Local Government Board on a resolution passed by the board of guardians of Limerick Union proposing that the teachers of workhouse schools who have hitherto been paid results fees from the rates should be given increments to their annual salaries to compensate them for any loss arising from the abolition of the results system. The Local Government Board informed the guardians that they do not consider that a fixed increment to the salaries of the teachers in workhouse schools should be made by the board of guardians in lieu of the results fees hitherto given from the rates upon the certificate of the Board of National Education, but that they would be prepared to consent to a bonus equal to the average of the past three years results fees being given to the teachers after each examination if the report of the inspector upon the school was in every respect satisfactory.

RATHKEALE QUARTER SESSIONS.

MR. SWIFT MACNEILL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been directed to the action tried at quarter sessions in Rathkeale, on 15th June, in which Laurence Hartnett sued Head Constable Hyland, of the Royal Irish Constabulary, for false arrest and

imprisonment, and obtained a verdict of £20 damages; whether he is aware that the learned county court judge in charging the jury commented on the conduct of the head constable in dragging the plaintiff out of bed, handcuffing him, and marching him off to prison, although there was no evidence against him; and whether it is proposed that the costs of this action and the damages in which this head constable has been mulcted be paid out of the public funds, or that the head constable be recouped from the public funds for these costs and damages.

MR. G. W. BALFOUR: The facts are as stated in the first and second paragraphs, except that it is not true that the judge stated there was no evidence against the plaintiff. I may observe, however, that the judge has since written to the Inspector General stating "that although the defendant may have been technically wrong he acted absolutely right in the interests of justice and order. He arrested one who he had full reason to believe had committed an outrageous Whiteboy crime in a rather disturbed district. I would most earnestly recommend and pray that the State will see this first-class officer harmless from all pecuniary loss and otherwise." The head constable, having lodged an appeal to the assizes, the question referred to in the last paragraph will not be considered until the case has been disposed of.

IRISH LAND COMMISSION AS MEDIATORS.

MR. MACALEESE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Irish Land Commission on being applied to by a former tenant to act as mediators under Section 47 of the Land Law (Ireland) Act, 1896, the usual statutory notice of such application having been served by the said Commission upon the landlord, and he having failed to give notice within the prescribed time of his objection to such application, have power to extend the time allowed for lodging such objection; and whether the landlord, being prevented by disability from lodging his objection, it is competent for another person to do so on his behalf.

MR. G. W. BALFOUR: It is not possible to answer this question upon the information given; if, however, the hon. Member will furnish me with the names of the parties to the proceedings mentioned I will endeavour to have the case identified.

IMPRISONMENT OF SYLVESTER DWYER.

MR. FLAVIN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that a man named Sylvester Dwyer is at present undergoing a sentence of eighteen years in Maryborough Prison; whether he can state for how long Sylvester Dwyer has been in prison; and whether, in view of the feeling that exists in Dwyer's innocence and of his long imprisonment, steps will be taken for his release.

MR. G. W. BALFOUR: The case of this convict was considered by the Lords Justices so recently as the 18th June, when it was decided that the law should take its course. He will have completed thirteen years of his sentence on the 14th instant, and will be eligible for release in the ordinary course in January of next year.

MR. FLAVIN: Can the right hon. Gentleman say why the law did not take its course in the case of Lord Kenmare's bailiff, who only did eighteen months out of twenty years?

*MR. SPEAKER: Order, order!

BUSINESS OF THE HOUSE.

SIR H. CAMPBELL-BANNERMAN: I beg to ask the First Lord of the Treasury for information as to the course of business, and especially as to the class of Estimates that will be taken.

MR. A. J. BALFOUR: As regards to-morrow, we begin Committee on the Tithes Bill, and I imagine that will not be concluded the same evening. On Friday I propose to take the Scotch Estimates which I had intended to take last Friday.

MR. GIBSON BOWLES (Lynn Regis): When will the Vote for the House of Lords Offices be taken?

MR. A. J. BALFOUR: I can give no pledge as to that.

SIR FORTESCUE FLANNERY (Yorkshire, W.R., Shipley): I beg to ask the First Lord of the Treasury if he can state when the Admiralty Vote for Propelling Machinery will be taken.

MR. A. J. BALFOUR: I am afraid I cannot give a definite answer at present, but I hope to be able to take the Vote on Friday week.

MR. JOHN REDMOND (Waterford, W.): I beg to ask the First Lord of the Treasury whether he can state approximately when the remaining Irish Estimates will be taken, and whether the new rules of the Board of Primary Education in Ireland will be published before the Irish Education Vote is taken; and whether he can see his way to arrange that the Second Reading of the Irish Primary Education Bill and the Irish Intermediate Education Bill will be taken during the same week as the Irish Estimates.

MR. A. J. BALFOUR: I understand that the suggestion of the hon. Member will be acted upon, and the rules will be published in a separate Paper, which I trust will be in the hands of hon. Members before the Education Vote is taken. As regards the second paragraph, I will endeavour to meet the convenience of the hon. Members, but I am not at present in a position to give an absolute pledge.

MR. JOHN REDMOND: Can the right hon. Gentleman say approximately when the new rules will be laid on the Table?

MR. G. W. BALFOUR: Very soon, I hope, but they are not yet in their final form.

MR. JOHN REDMOND: They ought to be in the hands of hon. Members some few days before the Vote is taken.

AGRICULTURAL HOLDINGS BILL.

MR. CHANNING (Northamptonshire, E.): I beg to ask the First Lord of the Treasury whether, having regard to the fact that the Central Chamber of Agriculture have called a special meeting of the council to consider the amended form of the Agricultural Holdings Bill, he will defer the Report stage of the Bill until the House has the advantage of any further suggestions from the chambers.

MR. A. J. BALFOUR was understood to reply that this was not possible.

POST OFFICE SITES BILL.

Reported from the Select Committee; Report to lie upon the Table, and to be printed. [No. 248.]

Minutes of the Proceedings of the Committee to be printed. [No. 248.]

Bill, as amended, recommitted to a Committee of the whole House for Thursday next, and to be printed. [Bill 274.]

MILITARY MANŒUVRES BILL [Lords].

Read the first time; to be read a second time upon Thursday, and to be printed. [Bill 275.]

RESERVE FORCES BILL [Lords.]

Read the first time; to be read a second time upon Thursday, and to be printed. [Bill 276.]

NEW BILL.

PUBLIC WORKS LOANS.

Bill to grant money for the purpose of certain local loans out of the Local Loans Fund, and for other purposes relating to local loans, ordered to be brought in by Mr. Hanbury and Mr. Chancellor of the Exchequer.

PUBLIC WORKS LOANS BILL.

"To grant money for the purpose of certain local loans out of the Local Loans Fund, and for other purposes relating to local loans," presented accordingly, and read the first time; to be read a second time to-morrow, and to be printed. [Bill 280.]

HOUSING OF THE WORKING CLASSES ACT (1890) AMENDMENT BILL.

As amended, considered.

*MR. SPEAKER: The first Amendment in the name of the hon. Member for South Islington is out of order. Th

Bill is a Bill to amend Part III. of the Housing of the Working Classes Act, but he proposes to amend the whole Act and also to alter the incidence of taxation, which cannot be done at this stage.

SIR WALTER FOSTER (Derbyshire, Ilkeston): I beg to move the new clause which stands in my name, and I do so with the object introducing into this Bill some means by which it may be possible to obtain enforcement of the provisions of the Act in many rural districts where it is now neglected. In drawing up the Amendment I have carefully followed the wording of the Act of 1890, although I have introduced some slight modification in the last portion of the clause, so as to give to the medical officer and ratepayers, under certain circumstances, power to call the attention of the central authority to the neglect to put the Act in force. I think this is necessary, because, as the right hon. Gentleman has shown us on more than one occasion, although very large powers exist, there is no provision whatever to secure their enforcement, and they are indeed seldom if ever put in force in many districts where we have a scandalous condition of housing in existence. Bad housing is consequently allowed to go on to the detriment of the health of the locality and of the morals of the people. If this Bill is to become operative, if it is to have greater force than the Act of 1890, we must strengthen it in some way and give someone the power of drawing the attention of the local authorities to their default in carrying out the intentions of the Legislature. I believe that in a question like this affecting the public health no more suitable officer could be found to undertake this duty than the medical officer of health, and although in many rural districts such an officer holds his position on a very insecure tenure, and is only too often paid a comparatively small salary for the performance of very responsible duties, I am sure the House will feel that he is the proper official to discharge this task. I am quite aware that while the right hon. Gentleman in charge of the Bill may be willing to accept the first and second portions of my clause, he may object to the third, on the ground that it brings in the interference of the Local Government Board. In order to meet that objection I would suggest that the enforcing authority should be the county council, and I have no objection whatever to the county council being substituted for the Local Government Board in the third portion of this clause, so that the provision will then run that, upon representations made by not less than four householders to the medical officer of health for the district to the effect that the conditions of housing then existing are dangerous to the public health, the medical officer shall inspect and report, and the county council shall take steps to see that the Act is put in force in the event of the necessary action not being taken by the local authority. I believe that some such provision would make the Act more efficient. I do not think we can too strongly deplore the impotence of the Act of 1890, seeing that in most rural districts it has had no effect whatever in improving the housing of the agricultural poor. It is in order to ensure that the local authority in such districts shall do its duty that I propose this clause, and I repeat that I think the county council may wisely and properly be introduced as the enforcing authority.

New clause—

"(1) It shall be the duty of the medical officer of health of every rural sanitary district to represent to the local authority of that district any parish or other area within that district where danger arises to the health of the inhabitants of such parish or area from the insufficiency or unwholesomeness of the existing supply of lodging-houses for the working classes.

"(2) If in any rural sanitary district any four or more householders living in or near to any parish or other area in such district complain in writing to the medical officer of health of that district that danger arises to the health of the inhabitants of such parish or area, or of such district, from the insufficiency or unwholesomeness of the existing supply of lodging-houses for the working classes in such parish or area, he shall forthwith inspect the same, and transmit to the local authority the said complaint and his opinion thereon; and, if he is of opinion that danger does arise as aforesaid, shall represent such parish or area to the local authority; but the absence of any such complaint shall not excuse him from the duty of making a representation under Subsection 1 of this section where necessary.

"(3) If within three months after receiving the said complaint and opinion or representation of the medical officer, the local authority declines or neglects to take any proceedings to put this part of the Act in force, the householders who signed such complaint may petition the Local Government Board for an inquiry, and the said Board, after causing an

inquiry to be held, may order the local authority to proceed under this part of this Act, and such order shall be binding on the local authority."—(*Sir Walter Foster.*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. CHAPLIN, Lincolnshire, Sleaford): The clause of my hon. friend is divided into three parts, and as to the first two I have, as he has said, no objection whatever, although, in my opinion, it is altogether unnecessary, for I am advised, and indeed I am satisfied, that, with one exception, everything proposed to be done in those two paragraphs of the clause can be done under the existing law. The hon. Member gave, as I think, a somewhat curious reason for this clause. He said that the local authorities had undoubtedly got very great and extensive powers already, but they do not use them, and therefore he would give them more power. I do not quite follow him in that.

SIR WALTER FOSTER: No; I said I would give the medical officer of health and the ratepayers more power.

MR. CHAPLIN: I certainly thought the hon. Member said he would give the local authorities more power. With regard to the position of the medical officer of health, that is a question to which I undoubtedly attach very great importance. But I do not think you would improve his position by the insertion of this clause, and the Committee will have to consider very carefully the fact that he must be placed in a very different position altogether from that which he now occupies if you mean him to be a really efficient official with regard to the housing of the working classes. Everything suggested in the clause can be done under the existing law, with one exception, and that is where the medical officer of health is called upon to report on the insufficiency of lodging-houses for the working classes; and even as regards such insufficiency, if it be shown to arise either from the unwholesomeness or overcrowding of dwellings, then it is his duty at present to report. But if there is an insufficiency of houses as apart from overcrowding, that, I submit, is not a matter for the medical officer of health, who would not be the most appropriate authority to deal with it. The third section of the proposed clause states that under certain circumstances the Local Government Board should be brought in to coerce the recalcitrant local authorities.

SIR WALTER FOSTER: I said I was prepared to substitute the county councils.

MR. CHAPLIN: I have considered the clause very carefully, and I have come to the conclusion that if pressure of this kind is to be brought to bear it would be better that it should be brought to bear by the county councils rather than by the Local Government Board. The county councils are representative bodies, with local knowledge which the Local Government Board cannot possess in the same degree. What I propose to do, therefore, is not to accept the proposal of the hon. Member, but to accept with some Amendments the clause of the noble Lord the Member for the Cricklade Division, as was suggested to me the other night by the right hon. Gentleman the Member for East Wolverhampton. I think, with some Amendments, that clause would very satisfactorily answer the purpose in view.

Motion and clause, by leave, withdrawn.

*MR. SPEAKER: The next two clauses standing in the name of the hon. Member for South Shields are not in order. They are both outside the scope of the present Bill.

MR. STEADMAN (Stepney): In rising to move the clause which stands in my name, I hope the right hon. Gentleman the President of the Local Government will give it a little more consideration than he did last week, when he described it as a harum-scarum proposal. I am not a lawyer, but I give way to no Member of this House in my desire to see better accommodation for the working classes of this country. If the right hon. Gentleman had really any sympathy with the question or a desire to do something in the right direction he would, instead of ridiculing my humble clause, avail himself of the assistance placed at his disposal, which I have not at mine, to draft it into proper shape. I consider this clause

one of the most important that has so far been moved in connection with this Bill, because it touches the very root of the evil under which the working classes are now suffering, and that is the question of the land. It is all very well for the right hon. Gentleman to say that the county councils and other local authorities have already got this power and that power, and that they are now to be given power to enable them to purchase land outside their own areas, but after all it is the landowner we have got to deal with. He is the most important person to consider, and we have not taken into consideration at all what he requires for his land. The London County Council have purchased six sites under Part III. of the Act at a total cost of £96,000. Two of these sites, including the Millbank site, which was Government property, and therefore paid no rates at all, cost the Council £37,500. The largest site purchased, Totterdown Fields, Tooting, with an area of 38½ acres, cost £45,000, and it is proposed to house something like 12,000 persons on it. That site is agricultural land, and if it were purchased at its agricultural value the price, instead of working out at over £1,100 per acre, would work out at about £40. It paid rates on its agricultural value, but immediately the London County Council proceeded to purchase it the owner would not sell it at that value, but required its full market value for building purposes. The result is that the Council had to pay an enormous price for this land, which, I maintain, should have been purchased on its assessable value as agricultural land, and not upon its value for building purposes, for which it was not assessed at all. I know this Amendment touches the vital system of the taxation of ground values. Vacant land at present has no assessment, and, therefore, pays no taxation. In some of the improvement schemes carried out by the London County Council a part of the site had to be left vacant, because it was too small for the Council to build on owing to the restrictions imposed by the Local Government Board and the Home Office. It is impossible for a municipality to build on a small plot of land even if it only desires to cover expenses and not to make a profit. I am anxious to see municipalities build houses for the working classes without loss to the ratepayers. The rateable value of these sites now vacant would be £2,683 per annum, if buildings were placed upon them, and the total cost to the London County Council, because they were kept vacant, was £5,378 up to the 31st March, 1899. If all vacant land was assessed, and paid rates upon its full market value, it would have the effect of bringing into the market a large amount of land suitable for building purposes. If used as agricultural land it would be taxed upon the basis of its market value, not for agricultural, but for building purposes. Therefore it would be no longer to the interest of the landlord to hold it back as he does at the present time. We are paying as ground rent to-day a hundred times as much as the agricultural value of the site, as the value of the land, especially in the city, or the near vicinity of the city, is increased through the industry of the people, and not from any merit of the landlord himself. The more the people by their industry increase the value of his land the more the landlord makes the local authority pay for it. Now, in fixing twenty-five years purchase as a basis, I think I have acted very fairly even to the landlords. I was for over twelve months chairman of the Investments Committee of the Hearts of Oak Society, and on many occasions we could invest our money in ground rents at as low as eighteen years purchase. I admit that the value has gone up since that time, but that has been through the industry of the people. It is a well-known fact that if the vacant land is allowed to go unassessed and paying no rates the landlord is encouraged to hold the land vacant until the time arrives when he can get the highest price for it. The Government might bring in a dozen Bills, but no Bill will solve this problem in a satisfactory manner unless the Government are prepared to deal with the owners of the vacant land, and compel them to sell it at a fair market value to municipalities for the erection of improved houses for the working classes.

New clause—

"For the purposes of Part 3 of the Housing of the Working Classes Act, 1890, a local authority may acquire vacant land compulsorily at a price equal to twenty-five years purchase of the annual value as assessed for taxation."—(*Mr. Steadman.*)

—brought up and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

MR. CHAPLIN: I am sure I am very sorry if anything I said in the course of the debate the other day was at all distasteful to my hon. friend. I think I would like to withdraw the expression "harum-scarum clause," I then used, and substitute for it "the most unworkmanlike clause I ever saw in my life." I really cannot say very much more to-day than on the previous occasion about this clause. At the present moment, under a Provisional Order, confirmed by Parliament, the price of the land is fixed by arbitration if there has been no previous agreement. I do not quite understand what really the desire is of the hon. Member. In one breath he says that all he wants is that the land should be sold at a fair market value. That means what the arbitrators would decide is the price to be paid for it. But in the next breath the hon. Member goes a good deal further. He assumes the *rôle* of general arbitrator, and decides that, in the purchase of land, no matter of what kind, or where situated, and utterly regardless of all the surrounding circumstances, he would never give more than twenty-five years purchase of the assessable value, whatever he means by that—and I do not propose to inquire. The hon. Member says that this is to apply to vacant land, by which he means land not built upon. Let us see what his proposal may involve. It may inflict the greatest possible hardship. Take the case of a hard-working, industrious man, who perhaps has sprung from nothing, and by his industry has made a fortune which he has invested in land near a town, or perhaps just beyond the boundary. That land is vacant because it is not built upon, and he has given fifty years purchase for it, exactly its fair market value. Now comes the occasion when, under the clause in this Bill which enables local authorities to go beyond their boundaries to acquire land for the purpose of housing the working classes, this man's land is to be purchased by the local authority. The hon. Member will not leave the value of that land to be fixed by an arbitrator. It is to be laid down by Act of Parliament that under no circumstances is the owner to get more than twenty-five years purchase for what he has paid fifty years purchase. I am quite certain that the hon. Member will see, when he looks at it in this way, that the clause will not hold water. I desire as much as anyone the cheapening of land for this great national purpose; but is it right or fair or just to penalise one particular class for that purpose, and throw upon them the heaviest part of the burden, because they happen to be owners of the vacant land? It seems to me that the clause cannot bear argument for a single moment.

Question put, and negatived.

LORD EDMOND FITZMAURICE (Wiltshire, Cricklade): The new clause I rise to move is one which the right hon. Gentleman has said he is willing to accept for the reasons he has stated. I should like to thank the right hon. Gentleman for the very courteous manner in which he has met the views of those on this side of the House who are anxious to see this Amendment adopted in one form or another. I am very glad that the new clause meets the views of my right hon. friend who was President of the Local Government Board in the last Government. The clause has been modelled, as far as possible, on Clause 16 of the Local Government Act of 1893–4. I have accepted a valuable Amendment suggested to me by the President of the Local Government Board——

*MR. SPEAKER: A new clause can only be moved after notice has been given. If the noble Lord and the right hon. Gentleman are agreed that this is substantially the same clause as appears on the Paper I will not interfere; otherwise it should be moved as on the Paper, and then amended by Amendments.

LORD EDMOND FITZMAURICE: I understood that the clause had been already placed before you, Mr. Speaker; and I thought that the authorities were satisfied that it was substantially identical with that which originally appeared on the Paper.

MR. CHAPLIN: So far as my reading of the clause is concerned, having very carefully considered it, I think it is precisely to the same effect as that which the noble Lord had originally on the Paper. But if desired the latter can be amended by Amendment.

*Mr. SPEAKER: It is quite unnecessary if it is agreed that it is to the same effect.

Lord EDMOND FITZMAURICE: Then I beg to move, Sir.

New clause—

"The council of any administrative county where a parish council resolve that a rural district council ought to have taken steps for the adoption of Part III. of the Housing of the Working Classes Act, 1890, or to have exercised their powers under that part, and have failed to do so, the parish council may complain to the county council, and the county council, if satisfied after due inquiry that the district council have so failed, may resolve that the powers of the district council for the purposes of that part shall be transferred to the county council with respect to the parish, and they shall be transferred accordingly, and the resolution shall, if necessary, have effect as an adoption of that part by the district council, and, subject to the provisions of this Act, Section 63 of the Local Government Act, 1894, shall apply as if the powers had been transferred under that Act."—(*Lord Edmond Fitzmaurice.*)

—brought up and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

Sir WALTER FOSTER: I am glad that the right hon. Gentleman has accepted this clause, because it concedes the principle for which I have contended in the Committee stage as well as in the new clause moved to-day. The clause of my noble friend is based on one contained in the Local Government Act of 1894 which has been found to work very satisfactorily in many county councils when put in force in relation to other matters. I hope that the powers conferred by this Bill may be made more operative by this new clause.

*Sir F. S. POWELL (Wigan): When this Bill was before the Committee I objected to giving such power to the central authority on grounds I then stated; but these objections do not apply to the county council. My experiences of the county councils—although not a member of any—both in the West Riding and in Lancashire are of the most encouraging character. They are nearer the locality than the central Government can be; and they have the further advantage of representing the people. In fact, it is one popular authority controlling another popular authority. I am sure that difficulties which have arisen between the central authority and the local authority will not obtain in dealing with the county council. I welcome most heartily this clause, and I am sure the Bill, strengthened by this clause, will work a reform of great importance.

Mr. JONATHAN SAMUEL (Stockton): I wish to ask the President of the Local Government Board whether, if the county council were to adopt this section, and put into force the powers of Part 3 in the area of any rural sanitary authority or parish council, the cost, if any, would be made a charge on the county rate or fixed on the rural or sanitary authority? If the cost were charged on the county rate it might be unfair to the other district councils.

Mr. CHAPLIN: This clause only applies in the case of a rural district council; and then only where it has been resolved by the parish council that the rural district council had failed in their duty in not adopting Part III. of the Act; or if they had adopted it, had failed in their duty to put it into force. Under those circumstances the County Council would be able to take over to itself the powers of the rural district council for housing the working classes, and to carry out the necessary works. The charge would be paid by the defaulting rural council.

Question put, and agreed to.

Clause added.

*Mr. CHANNING (Northamptonshire, E.): If the President of the Board of Trade were here he would recall that the principle of the clause I wish to move was repeatedly argued both in the House and in the Committee upstairs, during the discussions on the Act of 1890. If there was force in the arguments for it in 1890, it is redoubled now, owing to the enormous and vital importance of dealing with overcrowding. Twenty years ago the question of housing was one rather of sanitation than of overcrowding; but every year since has tended to make the question turn upon the issue of overcrowding and to the aggravation and intensification of the evils of overcrowding. In view of the present circumstances it would be unreasonable to the teeming

multitudes in our great towns, for whom we wish to find some outlet under the provisions of this Bill, if we did not apply the same reasoning and the same arguments to the re-housing of the people under Part 3, as amended by this Bill, that were applicable in former Bills to the question of insanitary areas and the pulling down of unhealthy habitations. Hon. Members are perfectly aware that the principle of excluding extra compensation in respect of compulsory purchase of insanitary areas and houses is applied to Parts 1 and 2 of the principal Act. What we wish is that, where you go outside the area of a district to carry out the purposes of Part 3, you should not be compelled to pay the enormous prices often demanded for land taken compulsorily under the Lands Clauses Acts. We had, on the second reading of this Bill, a most valuable discussion of the enormous enhancement in the value of suburban land that is sure to arise from the operations of county councils and other local authorities in going outside their own areas to compete for land for housing the working classes; what I am arguing now is that we should have the same principles applied to the outside land, as taken for a national and vital purpose, as are applied to land taken for dealing with insanitary areas and unhealthy houses. The evidence given by the Secretary for the Colonies, before the Housing Commission in 1884, was of the utmost importance on this point. He argued that the owner should obtain the fair market value at the time as between a willing seller and a willing buyer, and nothing more. "In practice they have succeeded in getting a great deal more." The Colonial Secretary also points out that "wherever an area was condemned as insanitary, all the owners within the area became subject to the terms of the Act, and their property, whether insanitary or not, could be acquired subject to no additional compensation in respect of compulsory purchase." That is a very strong argument for applying a similar principle to the purchase of land for the purposes of this Bill. In another reply to Lord Salisbury, the right hon. Gentleman said that in Birmingham they had two districts, one of which was an insanitary area, which they were providing a scheme to deal with, and another district called the improvement district, and it was there that they had to pay the 10 per cent. extra.

> "I say," said the right hon. Gentleman the Colonial Secretary, "that an owner in the improvement district should make the same sacrifice as the owners who were doing their duty in the insanitary area had to make for the public good; that is to say, they should be content with the full and fair value of their property, without this excessive additional sum, often much more than 10 per cent."

The right hon. Gentleman continues with the argument that owners would not suffer by the application of this principle to them in the improvement area he referred to; and by analogy the argument is good in the present Bill. Asked by Lord Salisbury whether hardship to the owner might not arise, and unpopularity for the scheme, he replied—

> "I do not think that under any scheme that could be arranged the owners would be badly off. They would always get more than they would themselves value their property at, supposing no scheme were in existence. Therefore, I do not think a scheme would be unpopular with the owners; it would be more unpopular with the ratepayers."

He gave illustrations as to how this extra 10 per cent. for compulsory purchase operated in Birmingham, and pointed out that where a man had bought real estate three years previously for £2,500, the corporation had to give him £6,000 for the same land in compulsory purchase under the Lands Clauses Act. My hon. friend the Member for Stepney, in moving his new clause, with the object of which I have the greatest sympathy, conclusively showed that the owners of the building land in the vicinity of great towns are perhaps the most favoured men with regard to taxation. They are assessed for the poor rate at the annual agricultural value of their land, which means that if you compare the agricultural value with the real capital value of the land, which they could command in the market at Tokenhouse Yard, and if they were taxed on anything like that real value, they are clearly being let off an enormous proportion of the share which they really ought to be paying for the purposes of local taxation. I do not wish to labour that point, except with regard to the particular argument before the Committee; but what does it mean? We know that the capital value of building land is from twenty to fifty, and sometimes 100 times the agricultural value of the land, and these owners have been

receiving from the community for years an enormous bonus, by reason of the fact that the community and Parliament have not taxed their land at its capital value. I ask whether it is reasonable that these owners who have received these large bonuses should ask for this further concession upon the compulsory purchase of their land. We know very well that the moment county councils and local authorities go outside their own area to acquire land, that land immediately increases in value. The owners thus are certain to get, in any case, vastly more for their land than they otherwise would. And then these very owners have had this bonus in exemption from fair taxation for years past; and, further, this bonus has been doubled by the action of the right hon. Gentleman and his friends in passing the Agricultural Rating Act. In dealing with this problem of the re-housing of the working classes, to prevent overcrowding, which I place even above sanitation, I think the community have a right to acquire this land at its fair value, and no more. We do not want to pay these owners less than the fair value of their land, but we do not want to pay them more, because landowners on the borders of great and growing towns have for years past been the favourites of fortune, and it is only reasonable they should to a small extent share in the sacrifices for these reforms.

New clause—

"Where land is acquired under this Act otherwise than by agreement no additional compensation shall be given to the vendor in respect of compulsory purchase of such land." —(*Mr. Channing.*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

*Mr. McLAREN (Leicestershire, Bosworth): The argument of my hon. friend who introduced this clause has covered a rather wide ground, but it is a ground which we who sit on this side of the House have for years felt requires to be dealt with by some attempt at legislation. Whether we sit here as the representatives of local bodies anxious to acquire land for public purposes, or whether we sit here as the directors of public companies which have to acquire, as railway companies do, areas of land compulsorily, we always feel that there is something wrong in a system which allows those who promote schemes for the public benefit to be practically fined 10 per cent. upon the ascertained value of the land which they require for their purposes. My hon. friend attempts by this clause to strike out what I should call the 10 per cent. fine. I do not understand that he proposes to carry the matter further than that, or that he intends to be as revolutionary in his proposals as the hon. Member for Stepney, or to suggest that any landowner should get a penny less than the fair value of the land which he is called upon to part with; but he does say this: that where a person comes to an owner to acquire land upon which to build houses for the poor of the town it is only fair that the owner should give up his land for that purpose, and not ask any more for it than its fair value. I believe that this 10 per cent. is not a creation of a statute; that there is no Act of Parliament which provides that it shall be added to the price of any land which is purchased compulsorily. It is pure custom created by surveyors and legal persons during the growth of railways, and when the Committee is considering a question of philanthropy as well as of figures it is not unreasonable to say that a stop should be put to an arbitrary rule of this character. Take the case of a railway company. The land it seeks to acquire is agricultural land, and has no building value, and if the landowner sits on that land for half a generation he would not receive more for it than its fair value; but a railway comes along, takes some of the land and puts up buildings, and it at once attracts other builders, so that, so far from the owner being injured by his land being taken away, he is actually benefited. He not only gets rid of the land he parts with at its true value, but the rest of his land goes up in price. The same argument applies with greater force to municipal enterprise. Under these circumstances I think we ought to get rid of this 10 per cent.

Mr. CHAPLIN: This question was raised in Committee, and the hon. Member pressed it to a division, when the Committee decided by a large majority to reject his proposal, and I see no reason why I should accept the proposal on this

occasion. I do not think the hon. Member has brought forward any additional reasons which should cause me to do so. The hon. Gentleman must remember that when land is taken under compulsory powers the 10 per cent. is not a matter of course—it is left to the discretion of the arbitrator to say what he considers is the fair value of the land, which hon. Gentlemen opposite are agreed is what ought to be given, and he usually gives 10 per cent. compensation for the compulsory purchase. It may be that the owner may consider that the land which he has to part with, when used for the purposes for which it is acquired, will be very detrimental to the property which he is left with, and, taking all the circumstances into consideration, 10 per cent. is not, I think, unfair. The hon. Member founded his argument to a great extent upon the cases that occur in Parts I. and II. of the Bill, but those are not at all analogous to any case under which land could be taken under Part III., because in Parts I. and II. different circumstances arise ; the areas there are taken over because they are insanitary.

*MR. CHANNING : May I interrupt the hon. Gentleman for a moment here? My argument is that under Part I. the 10 per cent. is not allowed in respect of property which in itself is perfectly sanitary.

MR. CHAPLIN : But in those areas which are so taken over there are insanitary areas. The land which is taken under Part III has never been an insanitary area. In the first place it is taken for the purpose of building houses upon, and it has not been built on before, and I cannot see on what ground the owner of that particular property which is to be used for a particular purpose is to be prevented from enjoying the same privilege that is extended to other landowners when their land is taken away. I have always acknowledged the importance of this particular question, but I have not heard a word of explanation to-night why one particular class is to be selected to pay a heavier burden than other classes of the community. We ought, in my opinion, to preserve to these people the same rights and privileges that we extend to other classes, and all that I ask is that in these cases, as in all others, it should be left to the unfettered decision of the arbitrator to fix the price to be paid for these properties, and to say whether, in taking these properties over, there are exceptional circumstances which justify him in awarding an additional 10 per cent. as compensation for compulsory purchase.

*SIR HENRY FOWLER (Wolverhampton, E.): When listening to the speech of the right hon. Gentleman and the arguments which he used my memory went back to six years ago and the passing of the Local Government Acts for England and Ireland. On those occasions I heard precisely the same arguments—I have no doubt from the right hon. Gentleman himself—but they did not convince the House of Commons or the House of Lords in the case of the English Local Government Act of 1893, and in the case of the Local Government Act of Scotland in 1894. Parliament put these words in the Acts of both countries—

> "Provided that in determining the amount of disputed compensation the arbitrator shall not make any additional allowance in respect of the purchase being compulsory."

That is the precedent which we ask the House to follow in the present case, for this simple reason : that in accepting this the right hon. Gentleman is carrying out what he contended for in the previous Amendment. The right hon. Gentleman said—

> "What the owner of this land is entitled to is its fair capital value. I do not ask for anything more."

What we now ask is that these owners, when they come before the arbitrator, shall not be allowed to avail themselves of what I may call arbitrator-made law, and not Judge-made law. A disastrous precedent was set, after the passing of the Lands Clauses Act in 1885, that in addition to the price of the value of the land the owner should have a bonus of 10 per cent. No man more loudly denounced that than the right hon. Gentleman the Colonial Secretary, with respect to land acquired by municipal authorities. The right hon. Gentleman maintains that in addition to the full market price the owner should get this further amount. Although it may not be a convincing argument, you cannot shut out the fact that the land which will be required for these purposes must be in close propinquity to large towns, and it

will be very much enhanced in value owing to its proximity to those towns. If the owner is to get the full market value, the House, I think, ought to follow the precedent created in the Local Government Acts of England and Scotland, that the community shall not be fined an additional 10 per cent. because they require the land for these purposes.

*MR. PERKS (Lincolnshire, Louth): The clause seems to me to be a most reasonable one, and I can see no reason why the Government cannot adopt it. It appears to me that the right hon. Gentleman the President of the Local Government Board must have forgotten that when a man is selling land for public purposes he not only usually gets the full market value, but he always gets large compensation for damage done to his severed land, and he invariably alleges that that is the most valuable piece of land he has got, and he gets a bonus because the rest of his land is depreciated in value. There is another point, which is this, that land taken in the suburbs of our towns for the erection of artisans' dwellings will bring on to that land a considerable population, and that for mercantile purposes, small shops and so forth, the adjacent land left in the hands of the vendor will be greatly increased in value. Another point is that the great cost of acquiring these lands is not the value of the land itself, but the enormous cost of surveyors, witnesses, counsel, solicitors, and a variety of other people who are almost invariably engaged before the arbitrator or a jury on compulsory purchases under the Land Clauses Act. The fact that there is in the Act a direct provision that nothing should be paid for taking land compulsorily will facilitate, to a very great extent, the acquisition of land by agreement between owners who wish to sell, and the community who wishes to buy, and that will be a very great advantage. We certainly ought not to lose sight of those considerations.

MR. BROADHURST (Leicester): We labour under a considerable disadvantage in discussing this subject in the absence of the right hon. Gentleman the Colonial Secretary. I was myself a member of the Royal Commission to which the hon. Member for East Northamptonshire refers, and I remember perfectly well that the Colonial Secretary was the clearest, ablest, and most valuable witness examined before that Commission. He showed to the satisfaction of the Commission that the proposal put forward for their consideration was consistent in itself, with full and complete justice to the owners of the land. No injury could follow the enforcement of this principle, and full and complete satisfaction would be obtained in all cases of compulsory sale. Now, I cannot see why, if the Government are really anxious to facilitate the question of the building, they cannot agree to this proposal. The landowners are all agreed that there is not the least risk of any kind whatsoever, and the county councils and the arbitrators feel every day the wrong that is done in this matter. My hon. friend has pointed out the enormous and permanent injury that has been done to the country by the imposition of this 10 per cent. in the schemes of the railways of this country. There is no doubt that it has hung round the neck of the railway systems a tremendous millstone, and from that the community suffers to-day. And it will continue to suffer if we add such a millstone to this Bill. Why should we add 10 per cent. over the value for compulsory purchase? I understood the right hon. Gentleman to say there was no statutory obligation upon arbitrators to give the 10 per cent.; but he knows perfectly well that if there is no statutory obligation it is the practice, and is equally strong, and that if it is sought to restrain it it can only be restrained by the insertion into the Bill of some such language as that read by the right hon. Member for East Wolverhampton from the Local Government Act of six years back. Why not add that language to this Bill? The right hon. Gentleman has introduced the Bill much in the form and way in which he desired to have it; there has been no desire on the part of anyone upon this side of the House to do anything but to assist the right hon. Gentleman in passing it and improving it; and surely, under the circumstances, it is not too much to ask the right hon. Gentleman at this stage to accept an Amendment—an addition rather than an Amendment—without which there will be enormous difficulties in enforcing the law after the Bill has been passed by this House. I have the greatest desire to see this Bill become law, but I should like to see the additions

made so that when it has become law it will be a practicable and useful law, and I firmly believe that without this Amendment its object will be considerably curtailed, and in some cases utterly destroyed.

SIR JOHN BRUNNER (Cheshire, Northwich): I was rather disappointed that the right hon. Gentleman did not favour us with a smile when he said that the great burden lay on a single class. It has become a commonplace that this class are not only not heavily burdened, but, on the other hand, that they are very greatly benefited by the existing state of the law. He said also that we ought not to take out of the pockets of one particular class to benefit the public. This Bill deals only with land, and it is obvious to anyone who considers the matter for a moment that we want no other class of property. We do not want to buy railway shares compulsorily. We do not want to buy household furniture compulsorily. We do not want to buy watches or jewellery compulsorily. I would put it to the House that in adopting this Amendment we shall not do what many of us do not care to do—we shall not go in advance of public opinion. I think it would be a very wholesome thing if the House by passing the Amendment were to repeal the injunction or advice given to the arbitrators six years ago. A railway director has told us in very feeling tones, and my hon. friend the Member for Leicester has repeated it, that railway companies, and they might have said other companies, have been mulcted in this particular 10 per cent. for compulsory purchase to the detriment of the public. When a corporation intending to make a profit out of its working comes before an arbitrator, the arbitrator always has in his mind that the company is working for profit, and that it ought to be made to pay. But here is the case of a local authority acting for the benefit of the whole community, and, under the present condition of the law, suffering a great hardship. The case is very different from that of a company desiring to make an actual profit. I would recommend to the House this argument. I believe it ought to have great weight with all of us. In this case we are attempting to improve the position of those whose condition is a danger to the public.

MR. PICKERSGILL (Bethnal Green, S.W.): The right hon. Gentleman opposite says there is no statutory authority for making this allowance, but that seems to me a strong argument in favour of the Amendment. It is a practice which has become so inveterate that unless the Legislature interferes no doubt it will go on. The right hon. Gentleman says it is right that the owner of the land should receive the full value of the land, and I entirely agree with that. How does it work out? It works out in this way. When the arbitrator has taken into account every consideration that can be urged by the owner of the land, he adds 10 per cent. The hon. Gentleman has reminded us that six years ago the Legislature deliberately put down an extra 10 per cent. in the case of land acquired by a parish council. I challenge any gentleman opposite to say why this 10 per cent. should be taken away in the case of land acquired by a parish council, and why it should be left in the case of land acquired for the purpose we are now considering. I think the case is stronger in the latter point than in the former. I do hope the House will not take a retrograde step this evening.

SIR WALTER FOSTER: I want to put before the right hon. Gentleman one or two points in this matter which, I think, have been slightly overlooked. In the first place, this land which is to be taken under the Bill is land in all respects similar to land now taken by the rural authorities under the Act of 1894. It is land like that taken for rural purposes by the parish councils; that is to say, it is not land in town, it is land in the rural districts. That kind of land, by the Act of 1894, could be taken compulsorily for allotments and other purposes, and there was also power to hire land. This Bill does not give us any power to hire land. The powers in this Bill are less than those in the Act of 1894, and there is the reason why you should make them similar. I think we should be relieved from the possibility of having to pay 10 per cent. compensation for compulsory purchase. There is a certain amount of experience in reference to these methods before the House. During the last few years the House has passed two Allotments Acts and they have been failures. The Allotments Acts passed by the Conservative Government

between 1886 and 1892 were Acts that gave little or no land to the labourers. The labourers did not get land in any large quantity till the 1894 Act came into operation. The experience of the working of those two Acts has shown that there is difficulty in using the methods of this Bill, and that there is an objection to the additional compensation. Although the addition to the price is comparatively small—it is not worth contending for on the part of the landowning classes—it forms a barrier. It checks the local authorities from carrying out what might be a beneficial piece of work for the locality. In the last two or three years I have brought instances before the House in which local authorities had been asked to pay such prohibitive prices that they have been unable to carry out the orders given to them for compulsory purchase. I would appeal to the right hon. Gentleman to make this small concession, which, if granted, would, I believe, make the Bill more popular and more efficient for the purpose for which it is intended.

Question put.

The House divided :—Ayes, 96 ; Noes, 150. (Division List No. 167.)

AYES.

Abraham, William (Cork, N.E.)
Allan, William (Gateshead)
Ambrose, Robert
Ashton, Thomas Gair
Asquith, Rt. Hn Herbert Henry
Austin, Sir John (Yorkshire)
Austin, M. (Limerick, W.)
Baker, Sir John
Billson, Alfred
Bramsdon, Thomas Arthur
Broadhurst, Henry
Brunner, Sir John Tomlinson
Bryce, Rt. Hon. James
Buchanan, Thomas Ryburn
Burt, Thomas
Buxton, Sydney Charles
Caldwell, James
Cawley, Frederick
Channing, Francis Allston
Clancy, John Joseph
Courtney, Rt. Hon. Leonard H.
Curran, Thomas (Sligo, S.)
Daly, James
Dalziel, James Henry
Dilke, Rt. Hon. Sir Charles
Dillon, John
Donelan, Captain A.
Doogan, P. C.
Duckworth, James
Emmott, Alfred
Evershed, Sydney
Ffrench, Peter
Fitzmaurice, Lord Edmond
Flavin, Michael Joseph
Flynn, James Christopher
Foster, Sir Walter (Derby Co.
Fowler, Rt. Hon. Sir Henry
Gibney, James
Goddard, Daniel Ford
Griffith, Ellis J.
Gurdon, Sir Wm. Brampton
Hayne, Rt. Hon. Charles Seale-
Hazell, Walter
Hemphill, Rt. Hon. Charles H.
Horniman, Frederick John
Jacoby, James Alfred
Jameson, Major J. Eustace
Jones, William (Carnarvons.)
Kearley, Hudson E.
Kinloch, Sir John George Smyth
Lawson, Sir Wilfrid (Cumb land
Leese, Sir J. F. (Accrington)
Lewis, John Herbert
Lough, Thomas
Luttrell, Hugh Fownes
Macaleese, Daniel
M'Dermott, Patrick
M'Ghee, Richard
M'Hugh, Patrick A. (Leitrim)
M'Laren, Charles Benjamin
Mendl, Sigismund Ferdinand
Murnaghan, George
Norton, Capt. Cecil William
Nussey, Thomas Willans
O'Dowd, John
O'Keeffe, Francis Arthur
O'Malley, William
Paulton, James Mellor
Pease, Joseph A. (Northumb.)
Perks, Robert William
Pickersgill, Edward Hare
Power, Patrick Joseph
Price, Robert John
Reckitt, Harold James
Roberts, John Bryn (Eifion)
Robson, William Snowdon
Samuel, J. (Stockton-on-Tees)
Shaw, Thomas (Hawick B.)
Sheehy, David
Sinclair, Capt. J. (Forfarshire
Smith, Samuel (Flint)
Souttar, Robinson
Steadman, William Charles
Sullivan, T. D. (Donegal, W.)
Tennant, Harold John
Thomas, Abel (Carmarthen, E.)
Trevelyan, Charles Philips
Wallace, Robert
Wedderburn, Sir William
Weir, James Galloway
Whittaker, Thomas Palmer
Williams, John Carvell (Notts)
Wilson, John (Durham, Mid)
Woods, Samuel
Young, Samuel (Cavan, East)
Yoxall, James Henry

TELLERS FOR THE AYES—
Mr. Herbert Gladstone and
Mr. M'Arthur.

NOES.

Archdale, Edward Mervyn
Atkinson, Rt. Hon. John
Bailey, James (Walworth)
Balcarres, Lord
Balfour, Rt Hn Gerald W (Leeds
Banbury, Frederick George
Beach, Rt. Hn. Sir M. H. (Bristol
Bethell, Commander
Bhownaggree, Sir M. M.
Bigwood, James
Blakiston-Houston, John
Blundell, Colonel Henry
Bousfield, William Robert
Bowles, Capt. H. F. (Middlesex
Bowles, T. Gibson (King's Lynn
Brassey, Albert
Brodrick, Rt. Hon. St. John
Bullard, Sir Harry
Carson, Rt. Hon. Sir Edw. H.
Cavendish, R. F. (N. Lancs.)
Cavendish, V. C. W. (Derby)
Cecil, Lord Hugh (Greenwich)
Chamberlain, J. Austen (Worc'r
Chaplin, Rt. Hon. Henry
Charrington, Spencer
Clare, Octavius Leigh
Cohen, Benjamin Louis
Collings, Rt. Hon. Jesse
Colston, Chas. Edw. H. Athole
Cook, Fred. Lucas (Lambeth)
Cooke, C. W. Radcliffe (Heref'd)
Cornwallis, Fiennes Stanley W.
Cox, Irwin Edward Bainbridge
Cross, Herb. Shepherd (Bolton)
Curzon, Viscount
Dalkeith, Earl of
Dalrymple, Sir Charles
Digby, John K. D. Wingfield-
Douglas, Rt. Hon. A. Akers-
Dyke, Rt. Hn. Sir William Hart
Egerton, Hon. A. de Tatton
Elliot, Hon. A. Ralph Douglas
Fardell, Sir T. George
Fellowes, Hon. Ailwyn Edward
Fergusson, Rt Hn. Sir J. (Manc'r

Finlay, Sir Robert Bannatyne
Firbank, Joseph Thomas
Fisher, William Hayes
FitzGerald, Sir Robert Penrose-
Fletcher, Sir Henry
Foster, Colonel (Lancaster)
Fry, Lewis
Galloway, William Johnson
Gedge, Sydney
Giles, Charles Tyrrell
Godson, Sir A. Frederick
Goldsworthy, Major-General
Gordon, Hon. John Edward
Gorst, Rt. Hn. Sir John Eldon
Goulding, Edward Alfred
Gray, Ernest (West Ham)
Hanbury, Rt. Hn. Robert W.
Hanson, Sir Reginald
Helder, Augustus
Hermon-Hodge, R. Trotter
Hoare, E. Brodie (Hampstead)
Houldsworth, Sir Wm. Henry
Houston, R. P.
Howard, Joseph
Hudson, George Bickersteth
Hughes, Colonel Edwin
Hutton, John (Yorks., N.R.)
Jebb, Richard Claverhouse
Jeffreys, Arthur Frederick
Johnston, William (Belfast)
Keswick, William
Kimber, Henry
King, Sir Henry Seymour
Lafone, Alfred
Lawson, John Grant (Yorks.)
Lecky, Rt. Hon. Wm. Edw. H.
Leigh-Bennett, Henry Currie
Llewelyn Sir Dillwyn-(Swans'a
Loder, Gerald Walter Erskine
Long, Rt. Hon. W. (Liverpool)
Lopes, Henry Yarde Buller
Lucas-Shadwell, William
Lyttelton, Hon. Alfred
Macartney, W. G. Ellison
Macdona, John Cumming
MacIver, David (Liverpool)
M'Arthur, Chas. (Liverpool)
M'Calmont, Col. J. (Antrim, E.)
M'Iver, Sir L. (Edinburgh, W.
Massey-Mainwaring, Hn. W. F.
Middlemore, Jn. Throgmorton
Monckton, Edward Philip
Moore, William (Antrim, N.)
More. Robt. Jasper (Shropshire)
Morrell, George Herbert
Morton, Arthur H. A. (Deptford
Muntz, Philip A.
Murray, Rt. Hn. A. Gra'm (Bute
O'Neill, Hon. Robert Torrens
Peel, Hn. Wm. Rbt. Wellesley
Pender, Sir James
Percy, Earl
Phillpotts, Captain Arthur
Pilkington, R. (Lancs., Newton
Platt-Higgins, Frederick
Plunkett, Rt Hn Horace Curzon
Powell, Sir Francis Sharp
Pretyman, Ernest George
Purvis, Robert
Quilter, Sir Cuthbert
Rankin, Sir James
Ridley, Rt. Hn. Sir Matthew W.
Ritchie, Rt. Hn. Chas. Thomson
Russell, T. W. (Tyrone)
Rutherford, John
Seton-Karr, Henry
Sharpe, William Edward T.
Shaw-Stewart, M. H. (Renfrew)
Sidebottom, Wm. (Derbysh.)
Smith, Abel H. (Christchurch)
Smith, James Parker (Lanarks.
Smith, Hon. W. F. D. (Strand)
Spencer, Ernest
Sturt, Hon. Humphry Napier
Sullivan, Donal (Westmeath)
Talbot, Rt. Hn. J. G. (Oxf. Univ.
Thorburn, Sir Walter
Thornton, Percy M.
Tritton, Charles Ernest
Usborne, Thomas
Wanklyn, James Leslie
Warr, Augustus Frederick
Welby, Sir Chas. G. E. (Notts.
Wentworth, Bruce C. Vernon-
Whiteley, H. (Ashton-under-L.
Williams, Colonel R. (Dorset)
Williams, Jsph. Powell-(Birm.
Willoughby de Eresby, Lord
Wilson, J. W. (Worcestersh. N.
Wodehouse, Rt. Hn. E. R. (Bath
Wortley, Rt. Hon. C. B. Stuart-
Wrightson, Thomas
Wylie, Alexander
Wyndham, George
Young, Commander (Berks, E.)

TELLERS FOR THE NOES—Sir William Walrond and Mr. Anstruther.

*MR. CHANNING: I understand that the right hon. Gentleman is prepared to accept the clause I now beg to move, and I wish to express my gratification that he has come to that decision with regard to this question. I frankly admit that he has greatly improved the Bill.

New clause—

"Where land is acquired under Part 3 of the Housing of the Working Classes Act, 1890, otherwise than by agreement, any question as to the amount of compensation which may arise shall in default of agreement be determined by a single arbitrator, to be appointed and removable by the Local Government Board, or in the case of a council in London, by the Secretary of State."—(*Mr. Channing.*)

—brought up, and read the first and second time, and added.

*MR. CHANNING: I do not know whether the right hon. Gentleman will consent to this proposition in the clause I now move. It is not inconsistent with the clause which has already been accepted on the motion of the noble Lord the Member for Cricklade. At the same time I admit that it would from the acceptance of that clause require some alteration, if the principle of it is accepted. The object of the clause, of course, is to give the right to the county council to refer to the Local Government Board to set the Act in operation. I think that is a proposal which ought to be embodied in the Bill in some way or other, and I beg to move.

New clause—

"The county council, on a representation from a parish council, or any twenty ratepayers within a rural district, may claim that the adoption of Part III. in such rural district shall be referred to the Local Government Board, and thereupon the Local Government Board may hold a local inquiry, and after considering the report of such inquiry may make an order requiring the district council to adopt Part 3 within a time and under conditions prescribed in the order."—(*Mr. Channing.*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

MR. CHAPLIN: I cannot accept this clause, for this reason. It would be inconsistent with the clause already accepted by the House. I think it would be unworkable.

Motion and clause, by leave, withdrawn.

MR. PICKERSGILL: I desire by the clause I now rise to move to raise the question which I raised in Committee, when the object I had in view received a considerable measure of support and sympathy from both sides of the House. I understand that my Amendment did not raise the question in the best possible manner, but the Government promised to consider the matter between that time and the Report stage. The object of my clause is to make it perfectly clear, at all events, that any county shall have power to acquire land, not only for the immediate, but also for the prospective needs of the locality. From the ground taken up by the right hon. Gentleman opposite, I understood him to say that there would be no limit to the amount of land which might be acquired for the purpose of providing dwellings for the people. I wish to examine that statement for a moment. I venture to think it is not quite accurate. Suppose we allow that a local authority has no power to acquire land, except so far as it is authorised by the Legislature to acquire land for a specific purpose. Here it is authorised to acquire land for the purposes of Part III. What are the purposes of Part III.? It is to supply the needs of the locality in respect of dwellings for the working classes. I think that in the present state of the law one is compelled to come to the conclusion that the needs of the locality would be held to mean the existing needs of the locality. I do not mean to say that the Legislature would hold the councils very strictly to provide merely for the existing needs of the locality, but that they would hold them to this extent: that there must be needs actually existing, or needs that would arise in the immediate future. If we leave this matter in doubt, a local authority will stand in an unsatisfactory position. In the first place, the money which it pays for land may be disputed by the Local Government Board auditor; and in the second place, which is probably a more formidable matter, as I understand, it would be quite possible for any ratepayer who found himself aggrieved to consider that the local authority were exceeding their powers, and to go to a court of law asking an injunction to restrain them. So far as regards acquiring land by agreement, I think it will be obvious that it is precisely in those cases where it would be most for the public interest to acquire land, in order to make provision for the prospective needs of a locality, that the holders of the land would be least willing to sell; that is to say, you must contemplate a case in which land is perhaps in the hands of a single holder, or two or three individual holders, who are keeping it out of the market, and where it will be necessary for the local authority, if they want the land, to get it by compulsion. In that case the local authority would have to apply for a Provisional Order, and I scarcely think that the hon. and learned Gentleman the Attorney General will say that a local authority applying for an Order will be able to include in that land to meet needs which may arise after twenty or twenty-five years. I find that the procedure provided by law with respect to petitions for Provisional Orders is very stringent. It is absolutely within the discretion of the Local Government Board either, on the one hand, to dismiss the petition, or, on the other, if it is disposed to regard it with favour, it must, as I read the section, hold a local inquiry. In these circumstances, I do not think you can seriously say that, under the law as it at present stands, a Provisional Order could be got conferring powers on a local authority to acquire land the need for which would not arise for twenty or twenty-five years. It is very desirable, in order to prevent litigation and disputes, that the matter should be perfectly plain. I beg to move the clause which stands in my name.

New clause—

"Where it appears to any council which has adopted Part 3 of the Housing of the Working Classes Act, 1890, that land will be required for supplying the needs of their district in respect of lodging-houses within any period not exceeding twenty-five years, such land may be acquired under the provisions of that part."—(*Mr. Pickersgill.*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

*MR. HAZELL (Leicester): I have an Amendment down later on, which I understand is out of order, covering very much the same ground as that now under

discussion, so that I should like to say a few words in support of the clause of my hon. and learned friend. It appears to me that this House is in danger of rivetting upon the neck of the local authorities so many fetters that it will be very difficult to carry out any housing schemes at all. I do not know whether there are many in this House, but there are a number of people in the country, who regard what they are pleased to term "municipal trading," with a great deal of suspicion. But if we have confidence in local authorities and believe that they know the needs of their localities and are able to carry on their schemes with wisdom and honesty I think we ought to give them rather a freer hand than they will have under the Bill at present, which confirms the custom of their paying an exaggerated price for land which they require. Unless this clause is inserted we shall put the local authorities in a position different from that of any private buyer. It is notorious that private undertakings when they desire to acquire land watch the changes in the market and seize the opportunity to buy at a favourable time, but Parliament so hampers local authorities that they are obliged to buy land at a high price, if at all, and if they have more than they want they must sell it again. We are on the eve of great developments in electric traction, and it is perfectly clear that a far-sighted, clear-headed local authority would see that when electric tramways get out into the suburbs great areas of land, which are now used for agricultural purposes, would be most suitable for housing the working classes. If they had a freer hand and were able to look forward to the future it would be possible to buy that land now one-fifth or even one-tenth of the price which would have to be paid for it in the future. Therefore in the interest of local economy I hope the House will agree to the clause.

THE ATTORNEY GENERAL (Sir ROBERT FINLAY, Inverness Burghs): When this matter was before the House on a previous occasion the Government promised to consider it. We have looked into the question, and we find that the matter has been several times before the Courts. The effect of the decisions has been that the local authority cannot apply land taken for the purpose of erecting lodging-houses, or indeed for any purpose for which they have statutory powers, to any other purpose of a permanent nature without, of course, the authority of a fresh Act of Parliament, but that in the case of land taken for the purpose of erecting lodging-houses they may apply it temporarily, and even for a very considerable space of time, to any purpose not inconsistent with its being ultimately used for the purpose for which it was acquired.

MR. PICKERSGILL: I think it is entirely in the discretion of the Local Government Board.

SIR ROBERT FINLAY: Not entirely If the land is not required for lodging houses it must be sold, except where otherwise directed by the Local Government Board. No doubt a considerable amount of discretion is left to the Local Government Board, but in one of the cases to which I have referred the learned Judge went so far as to say there was no obligation if by any possibility at any future time the land could be applied.

MR. PICKERSGILL: But the Court of Appeal did not confirm that.

SIR ROBERT FINLAY: The Court of Appeal did not adopt that dictum; it was a mere dictum of the learned Judge, and was not necessary for the purpose of the decision. It really amounts to this—that land cannot be permanently used for any purpose other than that for which it is acquired. As regards the acquisition, I apprehend there is no rigid fetter upon the local authority; they are not bound to show that they are going to build upon the land at once, but there must be a reasonable prospect of their building upon it in the near future. The sanction is really in most cases to borrowing for the purpose of buying land, and if it appears that the local authority have not genuinely in view the erection of lodging-houses as certain to take place in the near future, it is hardly a case of buying land for the purpose of erecting lodging-houses. I would ask the hon. and learned Gentleman who moved this clause to see how it would work in practice. He proposes that if land is acquired for the erection of lodging-houses, it should be so used within any period not exceeding twenty-five years. How is a section of that kind

to be worked unless the gift of prophecy can be conferred upon the local authority, and also upon the authority who are to sanction the loan? How is it possible to say whether the land will be wanted in the course of twenty-five years, and, if so, whether the loan should be sanctioned? If it is not required for twenty-six years, it would be beyond the scope of the Act. I submit that such a clause is not practicable or workable, and that it is far better to leave the Bill in a somewhat elastic state as at present, so that if the land is genuinely being acquired for the erection of lodging-houses, somewhere in the near future, the sanction to the loan will be given. I am quite sure from cases that the local authorities are by no means very rigidly tied down as to the exact quantity of land that is acquired. If they see that in the course of the next few years they will want lodging-houses to accommodate, say, 500 people, and that there is a probability of an extension being required, there would be nothing to prevent them asking for sanction to a loan to acquire a larger quantity of land. Under all the circumstances, I submit that the clause moved by the hon. and learned Gentleman is not really wanted, and I trust the House will not accept it.

*Mr. PERKS: Surely instead of being left, as the Attorney General suggested, to feel our way throughout the decisions of the various Coruts, about the effect of which he himself did not appear to be very clear, it would be far better to try to adapt this clause so as to enable a local authority to exercise the power of purchasing land which may be required, say, not within a limited period of twenty-five years—as that, I admit, might land you in the same dilemma as the Workmen's Compensation Act has with reference to the height of scaffolding—but within a reasonable period. Local authorities may be permitted by definite statutory enactment to acquire sufficient land for meeting the future necessities of the localities. It does not seem to me to be beyond the capabilities of the Law Officers to devise such a clause, and I submit that it would be far better to do that than to leave the question to be threshed out under conflicting decisions in the different Courts of Law.

*Sir F. S. POWELL: The House should bear in mind that the acquisition of land may not prove to be any advantage to the purchasing authority. The land must be paid for by loan, and the interest on the loan rapidly accumulates, so that at the end of twenty or twenty-one years a local authority would find that they had paid in interest, beyond the amount of the purchase money, such a sum as made the purchase a very dear one, and one by no means advantageous to the authority. The House ought also to remember that the management of land always involves expense, that there may be various losses, such as the non-payment of rent, and that such a transaction, when it comes to be worked out as a question of finance and economy, may prove to be most expensive. These points ought to be considered before we give such a power to a district. I certainly think that many districts are far too sanguine as to their future. Many districts grow and grow again to the satisfaction and the wealth of all; but many districts, on the other hand, do not grow—in fact, they rather decay; and I think in some of these cases it would be a great mistake to acquire land in the manner suggested. There is also this further consideration: there is such a thing as fashion among the working classes, and I do not know that in all cases land acquired by a locality for the working classes will be popular amongst those classes in twenty years' time. A district which is very attractive to-day may, in the course of those years, lose all its charms; for it must be remembered, when you plant a large colony in a country district, it ceases to a large extent to be a country district, and the attraction then goes. I am very glad the Bill has been so well received by the House, and I rejoice to find that it will soon become law, but I certainly think that a clause of this kind would be not an improvement, but an injury to the Bill.

Mr. JONATHAN SAMUEL: I believe that this clause has been moved with the very best intentions, but I hope my hon. and learned friend will not press it to a division. I feel quite sure that it is much better to leave the Bill rather indefinite than to fix a period in the way suggested. In my opinion, as one having some experience in municipal work, a clause like this is practically impossible; you cannot estimate in any given town what will be the requirements for a period

of twenty-five years, because some towns grow very rapidly, while others grow but slowly. There is also this danger. You have in every town a number of men who are speculators, and there is a possibility of their speculating in land and then becoming members of a local authority which may require to purchase that land for use within the period of twenty-five years. I may say that I do not consider that this Bill will be of very great value in any case—I have said so before—for the simple reason that no corporation is likely to undertake to purchase land outside its own area. I am sorry the clause put down by the hon. Member for South Shields, by which a municipality would have power to extend its boundaries so as to take in the land they may require, has been ruled out of order, but, in any case, I think it would be a danger to give these local authorities power to purchase land outside their own areas for the building of lodging-houses or houses to cover a period of twenty-five years in advance. Such a power might suit an authority like the County Council for London, but for an ordinary municipality it would be a danger, and, if exercised, might become a very serious burden on the ratepayers. I think the best thing is to leave the Bill, as the Attorney General says, in an elastic state, and therefore I hope the clause will not be pressed.

MR. BRYN ROBERTS (Canarvonshire, Eifion): I think the objection of my hon. friend is more applicable to the Bill as a whole than to this particular clause. No doubt in all cases of this kind there is a danger of jobbery being indulged in by the local authority, but I am sure that that danger is greater and stronger with respect to the powers immediately given by the Bill than to the provision contained in this clause. The object of the clause is to enable corporations to buy without being driven into a corner in order to provide for the future. The probabilities are that corporations will not be induced to enter into any engagements for the future unless they have an opportunity for doing so advantageously by getting land very cheap. There is also an objection of the Attorney General which, on consideration, I do not think will be found to be so strong as he supposes. He suggested that this clause gave power to anticipate for a period of twenty-five years only, and that it might turn out that twenty-six years would elapse before the land was required, and he seemed to imply that, therefore, the clause would be entirely inoperative. I differ from that view. It seems to me that the effect is that where a local authority contemplates the possibility of building within twenty-five years they may purchase without the consent of the authority or the approval of the Local Government Board, but if the twenty-five years elapse and their anticipations have not been verified, and a year or two more is required before they can build, they would then require a direction from the Board before they could keep the land any longer. I fail to see that any difficulty would arise, and I hope the clause will be agreed to.

SIR WALTER FOSTER: I am sorry to gather from the remarks of the Attorney General that he will not add anything of this kind to the Bill. I have once or twice pointed out that we want, as far as we can, to give the local authorities encouragement to obtain land. Everybody must remember that there are a great many difficulties connected with taking land outside the area of the municipality. In the first place, a municipality by so doing will be putting property within another rating area, and will have no opportunity of bringing that property within the borough or municipality which purchases the land. It would also be spending money outside its own area, and would be removing its own people out of its own area, and adding to the rateable value of another authority, and to its own detriment to a certain extent. The only thing that would induce them to do this work is the idea of doing good to the people of their own district. Moreover, in a few years time they may possibly be in the position of having land outside their own area which is only partly occupied by their own people, and they may have built up a whole village or district which will be occupied by people unconnected with the original municipality, and paying rates to a municipality which has done nothing in the way of housing the people. Therefore, I think if you were to extend the Bill by putting in the words "within a reasonable period," or something of that kind, it would be an inducement to local authorities to acquire land. I gather from the Attorney General

that in his view the administration of the Bill would give the local authorities that wider power of acquisition, and that the Local Government Board in sanctioning a loan would always act liberally in this respect. I think that is the strongest concession we can obtain on this particular point, and having that admission from the Attorney General, no doubt with the sanction of the Local Government Board to such an interpretation of the manner in which the Act will be administered by that Department, we must be content. At the same time I am sorry we cannot put into the Bill words to make it clear to the local authorities that they will not be limited in taking land to the immediate necessities they desire to meet.

MR. CHAPLIN: I can assure the hon. Gentleman opposite that this matter has been most carefully considered by the Attorney General, in conference with myself and the officials of the Local Government Board, and if we were of opinion that there was the slightest doubt upon the matter we should have endeavoured to frame an Amendment to meet the necessities of the case. But that was not the view of the Attorney General, and I entirely concur in his opinion. If hon. Members will look at the words of the Bill I think their apprehensions will be altogether removed. There is absolutely no limitation in the words of the Bill on the power to purchase to which the Amendment of the hon. Gentleman is directed, so long as it is for the purpose and subject to the provisions of the Bill. Neither is there any obligation to sell under any circumstances unless the land is not required for the purpose for which it was purchased, and even then the Local Government Board has a dispensing power and is able to say that the land need not be sold, although it is not required for the purpose for which it was acquired. I hold that the Amendment of the hon. Gentleman would be unfortunate, and would be a distinct limitation of the powers already possessed by local authorities, and I can conceive cases in which it would be an absolute hindrance. The hon. Gentleman desires to limit the period to twenty-five years. There is no such limitation in any Act of Parliament of which I am aware. Take a case in which a local authority has bought some land for the purpose of housing the working classes. Adjoining that land there may be a small or large plot of land which it would be extremely desirable to purchase, land which in a few years is sure to go up in price, and which, if it was not for the limitation of the hon. Gentleman's Amendment, the local authority might be very anxious to purchase. I am speaking of land which might be subject to a lease for thirty years. Any Amendment of this nature would absolutely defeat the object and purpose of the Bill, and I hope the hon. Gentleman will not go to a division, because I think it is quite unnecessary.

MR. PICKERSGILL: I would ask leave to withdraw.

Motion and clause, by leave, withdrawn.

MR. GRANT LAWSON (Yorkshire, N.R., Thirsk): The Amendment I have on the Paper appears to be somewhat mystical in its drafting, but its object is very simple. It will leave the incidence of rating in connection with this matter exactly as at present. When I moved this Amendment in Committee my right hon. friend said he would consider it before Report, and as I have perfect confidence in the justice of my Amendment, and also in the right hon. Gentleman, I shall say no more for the Amendment, but simply move.

The Amendment was—

"In Clause 1, page 1, line 26, to leave out the words 'special and.'"

MR. CALDWELL (Lanarkshire, Mid): On a point of Order, Sir. Do I understand that this Amendment will have the effect of changing the taxation under the Bill? If so, of course it is not competent for it to come before us at this stage.

MR. CHAPLIN: At present the expenses of a district council under Part III. are "special" expenses unless the county council make them "general" expenses. Under the Bill as it stands they would be "general" expenses unless the Local Government Board made them "special." It reverses, so to speak, the presumption of law, but the effect, I believe, would be practically the same.

MR. CALDWELL: It must be a change of incidence if you are changing them from "special" into "general." Would the same ratepayer pay under the Amendment in the same proportion as under the Bill? That is the point, I think.

MR. JONATHAN SAMUEL: I think we ought——

*MR. SPEAKER: Order, order! There is no question before the House, as these observations were directed to a point of order. I was not aware that any question of this kind arose, and I have not examined the section referred to, but I understand from the right hon. Gentleman that this does not cause a change in the incidence of taxation.

MR. JONATHAN SAMUEL: I rose to a point of order, though I did not say so. I understood from the hon. Gentleman the Member for Thirsk, when this matter was discussed on a previous occasion, that it would alter very considerably the incidence of local rating. If that is so, I think before deciding on the question we ought to have a full explanation from the Attorney General.

*MR. CHANNING asked whether this proposal would not have the effect of transferring part of the rates from agricultural ratepayers to the ratepayers in respect of houses or other property in villages or towns.

SIR ROBERT FINLAY said the effect of this Amendment would be that the expenses would be "special" unless the county council made them general.

*MR. SPEAKER: The Amendment is not in order.

Bill to be read the third time upon Thursday.

AGRICULTURAL HOLDINGS BILL.

Order for consideration of Bill as amended (by the Standing Committee) read.

Motion made and Question proposed, "That the Bill be now considered."

*MR. CHANNING (Northamptonshire, E.): On the consideration of this Bill, I wish to offer a few remarks as to its provisions as amended by the Standing Committee. As the right hon. Gentleman will remember, I dealt, perhaps at some length, on the general aspect of the Bill on its Second Reading. I do not propose to deal with it in the same sense now as I did then, but I wish to draw attention to one or two points which it may be desirable to consider before we proceed with the Report stage.

Attention called to the fact that forty Members were not present (Lord HUGH CECIL, Greenwich). House counted, and, forty Members being found present,

*MR. CHANNING resumed: I would desire to direct the attention of the right hon. Gentleman and the House to one of the points of the Bill, to which great exception was taken not only on the second reading, but also in the Standing Committee as well as in the country. That is the provision with regard to arbitration. I understood that the right hon. Gentleman gave an undertaking in the Standing Committee that Cause 2 should be amended in somewhat the sense which I then suggested. The Bill in its present form gives first place to an agreement as superseding, where it exists, the arbitration procedure. The effect of the clause as it now stands places the landlord in a position in which he might really dictate the whole mode of procedure, and even name the arbitrator. It provides that an agreement, if it existed, should entirely supersede the operation of the arbitration procedure, and that the arbitration procedure could only come into effect where there was no agreement. Very strong objection has been taken to that proposal, and in the Standing Committee I understood from the right hon. Gentleman that that part of the Bill would be amended in the sense which I and other hon. Members suggested—namely, that an agreement should not supersede the arbitration procedure, and that the arbitration procedure should come into operation if either party desired it. That is a very important point, and I wish to draw the attention of the right hon. Gentleman to it. Then there was another matter which has somewhat a comical aspect. Some amusing speeches were made on the Second Reading as to the relations of this Bill to Scotland. The clause as it now stands was the re-

sult of communications between the right hon. Gentleman and the Scottish Chamber of Agriculture; but the Scottish Chamber of Agriculture have now come to an exactly opposite conclusion, and have decided, after a very prolonged discussion, that it would be far better to revert to the original clause of the old Act of 1883. That is a serious situation, on which I think it would be well to have some light before we proceed further. It also seems to me that it would be extremely desirable if, in legislation of this kind, the Government would place the landlord and the tenant absolutely on an equal footing as regards the initiation of proceedings under the Act, and also as regards certain stages of the proceedings so far as is possible, especially the lodging of claims. Several Amendments were adopted upstairs, but they do not go far enough. What is really desired is that there should be an equality of position, and that as a corollary the landlord should be given the right of initiating proceedings under the Act. Then the Bill improves very greatly the procedure of arbitration, but does nothing to improve the status and position of valuers and arbitrators to be employed under the Act. I think that is a very grave omission. It seems to me that the success of the Act will largely depend on the improvement it effects in the status of valuers and arbitrators. The Act of 1883 failed principally owing to the inferior status, character, and capacity of a great many local valuers who had to carry it out. These will be eliminated to a certain extent by the adoption of a single arbitrator procedure, and I hope the Board of Agriculture, under their powers under this Bill, may be able to do something in the direction of weeding out unsatisfactory valuers, to be succeeded by a better class, who will deal with this question in a broad spirit. I regret very much that we were unable in the Standing Committee to obtain any real and substantial extension of the Bill with regard to essential improvements, which have done so much to keep both landlord and tenant going during the period of agricultural depression. The Government have given a concession, in making an allowance for seeds, but it does not go half far enough. It seems to me that the right of the tenant who, by great sacrifices, has created on the estate of the landlord one of its most valuable assets—namely, permanent pasture—should be recognised. That is a serious blot on the Bill, and if it is passed without that defect being remedied, I can only repeat what I said on the Second Reading—that the Bill will not go far enough in dealing with an essential situation. A tenant who improves the land to the highest degree, and who employs a large amount of capital, ought to get the sort of protection he really needs. I wish to direct the attention of the right hon. Gentleman to these points, the first of which I understood the right hon. Gentleman gave an undertaking to rectify — namely, the placing of an agreement before the procedure for arbitration.

LORD WILLOUGHBY DE ERESBY (Lincolnshire, Horncastle): At this stage I desire to raise a point in connection with the Bill which I think is of the most vital importance, and I would wish to know what action the Government intend to take regarding it. There is much in this Bill of which I heartily approve, and I should be extremely sorry to see it lost, but I think the Government have brought it on at a very inconvenient time. I understand there is to be a meeting of the Central Chamber of Agriculture to meet Members representing agricultural constituencies to consider the provisions of this Bill, and it is a pity that the Bill has been brought on before we have had the advantage of their opinion regarding it. I may say at once that the question which I consider of vital importance is the question of the arbitrator not giving any details whatever as to the reasons for his award of compensation, and I think we should have a very definite explanation from the Government in this matter. One of the objects of the Act of 1883 was to alter the very slipshod and unsatisfactory method of making valuations both on behalf of the landlord and on behalf of the tenant, and it was distinctly stated in Section 19 that the arbitrator should give the reasons—the broad reasons, at all events—on which he based the amount of his award. This has been entirely dropped in this Bill. No doubt it is the wish of the Government to simplify matters, and I believe that one of the chief arguments which will be used against giving details is that it will do away almost entirely with litigation, and

also with the right of appeal. I, personally, do not in the least care about the right of appeal, but I do care very much indeed that the arbitrator should give reasons for his decision. I think it is perfectly easy to understand why it is desirable that these details should be given. It is ridiculous to provide that an arbitrator should simply state that he awards a sum of £300 or £400 which the incoming tenant has to pay to the outgoing tenant, and yet give no reason whatever for that award. It would be equally unfair for an arbitrator to decide that the outgoing tenant should pay £200 to the landlord for dilapidation and state no reasons. Take a very simple instance. The arbitrators may act, and, I believe, will act, in all good faith, but it is perfectly plain that a clerical error may occur. Take the case of a tenant with a mill on his farm. With the consent of his landlord he has put new machinery into that mill. He dies, and the arbitrator fixes the amount of the compensation to be paid to his executors. In perfect good faith the agent states that the improvements and works were carried out by the tenant, but by a clerical error the landlord is credited with the new machinery, and the arbitrator thereupon proceeds to award to the executors a sum of £50, which, under the circumstances, would be a grave injustice, and there is no possible means of finding out if a clerical error had been committed. This is, of course, a very strong case, but it might arise. Take another case. A tenant goes to a landlord and asks that a certain field may be drained. The question arises to who is to pay, and ultimately the tenant carries out the work. He dies leaving a widow who knows nothing about the drainage, and it would be perfectly easy in that case, owing to a clerical error, for the arbitrator to conclude that it was the landlord and not the tenant who drained the field. It is to the interest of the landlord as well as to the interest of the tenant that the arbitrator should give the reasons on which he based his decision. With regard to valuers and arbitrators they stand very high indeed, but I think it would very greatly raise their status if they were required to give details of their decision. I myself cannot understand what the difficulty in the way is. I do not wish an arbitrator to go into every minute detail, but he should give the broad reasons. He should state, for instance, how much was given to the tenant for tillage, and how much for drainage and other permanent movements, and then again, how much was given to the landlord for unpaid rent, and how much for waste, and how much, if any, for breach of the contract of tenancy. I do think, broadly speaking, that this question will commend itself to most men. It is not a difficult question in the least to understand, even by those not engaged in agricultural pursuits. In the interests of landlord and tenant it would be far more convenient, and would improve this Bill enormously. I do not think it matters one bit whether we have a right of appeal or not; for there is no doubt that if the umpire or arbitrator were to state under what heads he gave certain sums of money, and it was found that these were unfair, he would instantly lose caste in the county and nobody would employ him again. The effect of that would be to raise the status of the arbitrator, and it would be a matter of convenience to landlord and tenant. Under the present proposal the arbitrator is to go through a hundred matters, and at the end he is to give his decision; but no one can tell whether he has given consideration to any one of these matters. Unless some satisfactory answer to this question is given by the Government, I shall use every endeavour to hinder the progress of the Bill, though I admit there are many things in it of which I heartily approve. I think, really, that the Government ought to give way on some points.

*THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. LONG, Liverpool, West Derby): All the points raised by the hon. Member for East Northamptonshire and the noble Lord the Member for Horncastle, with one exception, will be raised in regard to new clauses to be moved on Report stage. The one question which could not be raised by any Amendment is as to the effect of an agreement under Clause 2, to which reference was made by the hon. Gentleman opposite. I was astonished to hear him say that he came away from the Committee upstairs with the impression that I had undertaken to consider his Amendment to the Bill which would have had the effect of destroying the purpose of an agreement between landlord and tenant.

*MR. CHANNING: I consented to withdraw my Amendment in Committee on the distinct understanding that the Government promised to consider and provide for it before the Report stage.

*MR. LONG: I cannot admit that I entered into any agreement to leave the matter in that way. I do not recollect that I did so, and it certainly never entered into my mind that I should be able to accept an amendment which would destroy the effect of an agreement between landlord and tenant. What I undertook to consider was whether it would be possible to deal with cases in which there was an unwilling agreement. The view the Government have taken throughout, with regard to the relations of landlord and tenant, is that we believe the tenant is very well able, if he chooses, to examine for himself, and to make up his mind for himself, what the form the agreement ought to take. And if he chooses to enter into an agreement with the landlord as to arbitration, we have not thought it desirable to substitute the arbitration procedure of the Bill for any procedure so adopted as between landlord and tenant. The next question is as to Sub-section 4, Clause 1. The hon. Member said that the Amendment on that was the result of a conference with the Scottish Chamber of Agriculture, but it was amended in Committee in a direction which, I am sure, will secure justice to all parties. The hon. Member also expressed his hope that the landlord and tenant should be placed on the same footing, and that the landlord should be able to initiate proceedings. I was rather surprised to hear him express that pious hope in regard to the footing of equality of landlord and tenant in relation to operations on the farm. A landlord enjoys at Common Law certain rights which he is entitled to enforce, and therefore there is an essential difference between the position of landlord and tenant. Unless you are prepared to deprive the landlord of those rights which he enjoys at Common Law—and this, I take it, is not desired by the hon. Member for East Northamptonshire—it is impossible to put the landlord and tenant on an equality. As to giving the landlord power to initiate proceedings, that would be obviously unnecessary and useless, because, as I have said, you cannot get rid of his rights at Common Law. I agree with the hon. Member that the position of valuers would be materially improved by the adoption of the procedure under this Bill. It will increase their dignity and throw a greater responsibility upon them than at present. But for the Board of Agriculture to select arbitrators, and thus to limit the choice to those so selected, would, I think, be most undesirable. It would be extremely difficult for a satisfactory and sufficiently comprehensive list to be adopted to suit the requirements of all parts of the country, and enable parties to feel certain that they would get justice done. In regard to the question of permanent pasture raised by the Amendment on the Paper, I will deal with it when we reach it. But I may say that although I regard permanent pasture as a great advantage to a farm when properly laid down, I will endeavour later on to give my reasons for believing that it would be unfair and undesirable to give the tenant the right to lay down permanent pasture without the consent of the landlord; the exercise of such a right would involve a complete change in the character and nature of the holding. My noble friend the Member for Horncastle raised another point altogether. I confess I was a little astonished at his blaming the Government for bringing on this Bill at this time. He suggested that we should have waited till the meeting of the Central Chamber of Agriculture, but I would remind him that the date of that meeting had not then been fixed. When the time comes when he will be responsible for the business of Parliament he will realise that we cannot be guided in our business arrangements here by those of outside parties, otherwise public business would be indefinitely prolonged, and I am inclined to think that that is not desirable. I am now going to deal with what is undoubtedly a very important point, and that is the action of the Government in regard to arbitration proceedings. In the first place the Government were urged, I may say on all sides, when we were considering this question at its earliest stages, to secure machinery for the settlement of differences between landlord and tenant which would be economical both in regard to money and time, and which would make the settlement of these differences as simple as it could possibly be made. The Royal Commission which dealt with this subject recommended that the pro-

cedure of the Arbitration Acts should be applied to the settlement of these differences. That procedure is a single arbitrator, from whose decision, in reference to facts, there is no appeal. He gives his award exactly in the form provided by this Bill. What is it that my noble friend is afraid of? He gives us as an illustration a case regarding mill machinery, in which an injustice has been done through a clerical error; but it struck me that it was an illustration of injustice arising not so much owing to a clerical error as to a misstatement of fact. My noble friend will not depend on the award of the arbitrator; he wants to know what the different claims are by the tenant, and the different awards by the arbitrator. But suppose there are two classes of property owned by the same man—say, 1,000 acres of agricultural land and 1,000 acres of urban land. Some of the urban land is taken, and there is an arbitration as to the price; he gets his award on a single sheet of paper, without any details as to the value of the different parts of the property. Why not adopt the same procedure in regard to agricultural land? My noble friend says he does not care about an appeal; he only wants the information as to the valuation of the different parts of the property. But what, I ask, is the use of that information if there is no appeal?

LORD WILLOUGHBY DE ERESBY: I say if you had it you would never employ the arbitrator again.

*MR. LONG: If the arbitrator has given an unfair award, you would discover that without taking the award to pieces. If you are going to give the heads under which the award is decided, or the reasons for the amount at which the arbitrator arrives at his figures, you must give an appeal in order that the differences of estimate may be ascertained. The moment you give an appeal you get rid of the simplicity and finality of these proceedings, and thus introduce litigation. Now, our main object in introducing the Arbitration Act procedure is that we may simplify the machinery, cheapen the procedure, and give to the arbitrator a responsible position so as to enable him to settle definitely and once for all, all matters of fact—leaving an appeal only on matters of law. This procedure of the Arbitration Act has been successful where it has been employed. In no other kind of arbitration is it necessary for the arbitrator to give reasons for his decision or the heads of his award; and I do not see why we should give a procedure to agricultural tenancies different from that in all other arbitrations. My noble friend concluded his remarks by saying that if my reply was not satisfactory he would offer every opposition to the passage of this Bill. I would point out that there will be abundant scope for him on Report stage to criticise the parts of the Bill to which he objects without the sweeping method of rejecting the whole Bill.

*EARL PERCY (Kensington, S.): I am not at all surprised that my noble friend the Member for Horncastle should have adopted the point of view that he did, both on the ground as to the time selected by the Government for bringing this measure before the House, and on the ground of the provisions which it contains. The hon. Member for East Northamptonshire complained that the Bill had been brought on before the meeting of the Central Chamber of Agriculture. That is not a point on which I feel strongly, although the right hon. Gentleman in charge of the Bill might have deferred the consideration of the Bill until he had had the opportunity of hearing the opinion of that body. But there is another point of far greater importance than that of the opinions of chambers of agriculture. Many Members who take a great interest in the Bill were given to understand, through the ordinary channels of communication, that the measure would not be taken for several days, and it was with considerable surprise that we saw, last Friday, that the Bill, instead of being made the third Order of the Day, was put down as second. It must be remembered that comparatively few on this side of the House were present on the Select Committee, and it cannot be denied that the procedure adopted is not a very satisfactory one for discussing such debatable provisions as are contained in this Bill, especially for hon. Members who are engaged on Committees on other Bills. I think the Government would have consulted the convenience of their friends by postponing the consideration of this measure. I do not believe there is any real demand for the Bill, and I cannot conceive

that there is any great advantage in it over the Bill of 1883. It, however, to a certain extent, simplifies procedure, and we are all in favour of simpler procedure, of getting rid of the legal element as far as possible, and of reducing cost. But the Bill goes far beyond that, and introduces principles of a totally different and debatable character to which many in this House, and outside it, object. One is the limitation of the landlord's right of distraint, which, in my opinion, is against the policy systematically argued for fifteen years, of increasing the number of small holdings. Then it increases the number of cases in which the tenant may claim compensation for improvements which he has carried out without the consent of the landlord. I hold strong opinions on that point. I think that you should limit the number of improvements which the tenant may embark upon without the consent of the landlord to those which are absolutely necessary for the proper cultivation of the holding. The moment you go beyond those improvements absolutely necessary to proper cultivation, and go in for orchards, osier beds, permanent pasture, etc., you introduce a radically different principle from that which has been long established—a principle capable of very serious and indefinite extension. There is another point in regard to the question of an appeal from a decision of an arbitrator. The right hon. Gentleman has told us that this Bill does not introduce any very material difference in the practice of the present law.

*MR. LONG: It does introduce a radical change.

*EARL PERCY: Yes, a radical change in this sense: that you get rid of the power of appeal; and that is one of the points to which I most object. You set up a single arbitrator without any limits to his discretion. He has no assessor, and from his decisions you have no right of appeal. He has the power of entirely confiscating the property of the landlord and transferring it to the tenant. Now, my noble friend asks a very simple question. He asks the right hon. Gentleman to give an assurance that provision shall be made in the Bill that the arbitrator will state the reasons for his award. But the right hon. Gentleman says that if such a provision is made it will be necessary to retain the right of appeal. For my part I should be very much in favour of retaining the right of appeal, and I frankly admit that I disagree with the measure on that point, and agree with my noble friend. If there were a right of appeal to a judicial court we should soon create a general code which would be a guide to future arbitrators. By an appeal, for instance to a County Court Judge, you would obtain a decision from a competent judicial authority, and that decision would be a guide, as I have said, to the arbitrators; but at present there is no principle to assist them. One arbitrator gives his decision on one principle which appeals to him, and another on another principle. It is only by an appeal to a court of justice that you can get a definite code of principles which would be binding on the arbitrators. I should like to ask the right hon. Gentleman a question on one point. When he talks of the necessity of an appeal, if the arbitrator gives details under separate heads of the award, I think he is probably confusing two points of view which are really distinct—that is an appeal on a question of law and an appeal on a question of fact. The Bill proposes to do away with an appeal on questions of fact, but not on questions of law. The right hon. Gentleman says that no details are given in the award in commercial cases, or in cases of the compulsory purchase of land in towns. There is one answer to that, and that is that the owners of that class of property have never had a right to appeal against the decision of the arbitrator, whereas since 1883 the holders of agricultural property have, equally with the tenants, had a right of appeal. But another point far stronger than that is that in the case of the compulsory purchase of land I believe it is the fact that the arbitrator always states a case for a superior court on his own initiative. Therefore, it is always possible for the parties to the dispute to get a decision upon questions of law as well as questions of fact. But it will be said that under this Bill they can also appeal; that they can go to the County Court and say this is a question of law, and ask for a mandamus against the arbitrator, calling upon him to state a case. But you cannot appeal for the statement of a case without knowing the facts, and if the arbitrator makes the award in a

lump sum upon two schedules, each containing fifteen or twenty provisions, how is it possible for any landowner or tenant to lay his finger upon a particular point as the point where the particular question of law has arisen? All we ask is that the right hon. Gentleman will consider the points I have placed before him. I am not a legal authority, but I have studied this subject with some care, and I am certain that if leave is given, the principle on which it will be given is on a question of law. Such a solution as has been suggested will relieve the Member for the Horncastle Division of Lincolnshire from the painful necessity of obstructing this Bill. I do not myself desire to obstruct it, and should be glad to see it passed into law; but I do think there are many points which require consideration.

CAPTAIN PRETYMAN (Suffolk, Woodbridge): This question of arbitration is a simple one, but I think there is some misapprehension with regard to it. As we read the Bill I think some of us have rather gathered that this arbitrator is to come in as between the parties in dispute without the intervention of anyone. If that had been so there would have been the gravest cause of complaint. Here are two parties, one of whom has a claim against the other, or each have claims against the other, and if the arbitrator, who is called in, has to come in and inquire into the whole complicated case and give his decision, embracing all the different issues, and give no particulars as to how that decision is arrived at, and there is to be no appeal whatever, and no intervention of an expert between him and the parties concerned, there would ensue a condition of things which would probably give rise to very great complaint. But as I read the Bill that is not the case. There are some very important words in the second section, line 8, page 2: "If the landlord and tenant fail to agree." I take those words to mean that arbitration is only to be resorted to when the valuers, who are naturally appointed between the parties in the first instance, and who are experts, have failed to agree with regard to any particular matter mentioned in the schedule, and not necessarily, I may say never, with regard to the whole of the schedule. The Bill further says, "If there is a difference in respect of an improvement." I take that to mean in respect of a particular improvement in regard to which there is a difference of opinion. When there is a difference of opinion under this Bill the parties appoint each his own valuer, and then if the valuers fail to agree upon any particular point the arbitrator is called in and his decision is final upon the matter of fact. That is, as I suppose, on the financial fact of £ s. d., and if that be so there will not be any serious source of complaint, because there will be two experts appointed by the parties themselves. Therefore, instead of not knowing upon what facts the arbitrator took his decision, the facts would be laid before him by the valuers—the experts—of the parties concerned, and the aggrieved party would only have to apply to his own valuer, because he, having laid the case before the arbitrator, must know what points the decision was given upon. If that is so, it brings these cases within the category of those commercial arbitrations, or Lands Clauses Act arbitrations, referred to by the right hon. Gentleman, because in those cases the parties between whom the arbitration is are represented by experts, who lay their case before the arbitrator. And there the arbitrator's decision, as to matters of fact, is final. In regard to matters of law there is an appeal which is exactly similar under the old Act. Under the Lands Clauses Umpire Act of 1883 there were first of all two referees, and then an arbitrator, although I do not know that the advantage was greater because you had three experts instead of one, because if you had two parties concerned in a case of this kind either party if he be cantankerous could drag the other party before an arbitrator, and put him to considerable expense. As a question of landlord and tenant I personally look upon it as a landlord, but I also look at it from the point of view of the farmer, and I feel myself that if my valuer failed to come to an agreement with the valuer of the party who is quitting my land, and a responsible arbitrator was appointed to decide between those two men, and my valuer had a *locus standi* to put my case before him, I should be quite satisfied with the decision as to matters of fact. As to questions of law it would be different; and as to questions of law and the stating of a case for a superior court, I do not see why agricul-

tural experts should not do the same as is done in commercial arbitrations.

*EARL PERCY: In commercial cases questions of law that are likely to arise are stated at once before the arbitration commences; in agricultural arbitrations they are not so obvious. I cannot see what objection there can be to giving the particulars.

CAPTAIN PRETYMAN: When it comes to stating a case for a superior court, of course particulars must be given, and particulars can be demanded. To take a case to a court of law without any particulars would be a preposterous thing, but I never contemplated that. The point I am dealing with, and it is a point which I think requires an answer, is whether the parties themselves should say whether it was desirable or not that a case should be stated. Where experts are appointed by the parties, they will be of the same class as the arbitrator himself; they have the same knowledge of agricultural law, and I think they would be able to decide for themselves whether there is any necessity to state a case. Therefore we have no reason to fear that a decision will be given by the arbitrator which will be wrong in law, and that neither party will be able to find the point upon which that decision was given, and that the wrong decision will stand. I am bound to say that, although I examined this Bill very carefully, I was very much of the opinion of my noble friend; but having given it further and closer study, I think this Bill will work out very satisfactorily — that very few cases indeed will come forward; the valuers will be able to settle nearly every case, and when they cannot settle a case the appointment of an arbitrator supported by the appeal to the County Court on a question of law will be very satisfactory. There are two other points which were mentioned by my noble friend, which require the careful consideration of the House. The first was in regard to the question of distress. I think we should look very carefully indeed at the distress clause before we interfere with the existing clause in the Act of 1883. It is not a landlord's question, it is a tenant's question, and, as a landlord, I feel very loth to express an opinion upon it; but I hope that this clause will not be pressed. With regard to the question raised by my noble friend with respect to the change in the character of the holding, that should also be looked into very carefully. The broad principle has been laid down in the first schedule of this Bill that where an improvement has anything to do with the cultivation of the farm only it ought to be allowed, but that when it comes to altering the permanent character of the holding the consent of the landlord should be necessary. The three things mentioned by my noble friend—osiers, gardens, and orchards—would distinctly alter the character of the holding, and would require careful consideration by the landlord. It is in itself, perhaps, a small matter, and as it stands I do not think a single landlord would object; but it happens that there is a great principle involved, and whether it is worth while to insert this particular provision to depart from that principle, which is of value now and may be of good use hereafter, is questionable. Therefore I think, for the reasons I have laid before the House, that this Bill when it passes into law will prove satisfactory.

MR. BUCHANAN (Aberdeenshire, E.): I venture to think that the interpretation which the hon. Member for Woodbridge has put upon this Bill is different from that which is generally put upon it, and I should like to know whether the interpretation which he puts upon Clause 2 is that which the Government puts upon it, because the substance and the character of this Bill will be entirely altered if that interpretation is correct. As I understand it, whenever a case arises where a tenant wants to make a claim, under this Bill an arbitrator is to be at once appointed and give his decision. There is no intermediate stage, as the hon. Gentleman stated, of appointing valuers. The hon. Gentleman accentuated the importance of the interpretation which he placed upon Clause 2, by saying that if his interpretation was correct there would be very little resort to this Bill either by tenants or landlords. I think, therefore, that we ought to have from the right hon. Gentleman a statement as to whether the interpretation of the hon. Member for Woodbridge is correct, and the procedure indicated by him that which it is intended shall be taken under this Bill. I hope the Government will not listen to the arguments urged by the noble Lords.

opposite. First of all as to the form in which the award of the arbitrator is to be given; that is one of the few gains offered to the agricultural community under this Bill, and you do simplify these cases when you say the award shall be given in a lump sum. I also hope the Government will not listen to the arguments urged as to the appeal. As I understand the two noble Lords, they wish to have incorporated not only the question of law but also the question of facts. I think we ought to simplify and cheapen procedure as much as possible; but when you give a right to appeal on a question of fact as well as of law you increase the procedure, and also the cost. The right hon. Gentleman who introduced this Bill said that one of the objects was to simplify and cheapen the procedure, but in my opinion, if he accepts the suggestions of the noble Lords it will have exactly the opposite result.

LORD HUGH CECIL (Greenwich) said that, in all honesty, he thought by the arrangement which had resulted in this Bill being considered at the present time the Government had not displayed very much consideration for their supporters, many of whom had received the impression that the Bill was not to be discussed at so early a date.

*THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. LONG, Liverpool, West Derby): May I ask where the noble Lord obtained that information, and whether it was through the ordinary channels of the House?

LORD HUGH CECIL: I understand so; the information was conveyed to me. I do not suggest any breach of faith, but this is a very inconvenient time to have this debate, and it happens that a great many Members are unable to be in their places on the present occasion. One cannot rid one's self of the suspicion that that was one of the considerations which induced the Government to put down the Bill for to-night.

*MR. LONG: The suggestion is unworthy of the noble Lord, and quite unfounded.

LORD HUGH CECIL did not suggest anything improper or dishonourable on the part of the right hon. Gentleman, but the occasion was inconvenient, and therefore he thought it was necessary to appeal to the right hon. Gentleman to consider as favourably as possible the Amendments which came before him, especially on points which, like the one under discussion, were somewhat intricate. Who was to decide what was the proper interpretation of the Act? The hon. Member for Woodbridge took one view, the hon. Member for East Aberdeenshire took another. He hoped before the discussion came to a conclusion the Attorney General would advise the House as to what was the proper interpretation. He thought the House would be well advised in inserting words into the Bill which would make the matter plain, as there was certainly no object in passing an ambiguous clause. With regard to the question of appeal, the appeal was resisted on the ground that it would destroy the character and the simplicity which was the great feature of the Bill. He quite agreed that simplicity of procedure was a very good thing, but it might, he thought, be purchased at too high a price. Cheap justice or rough justice, generally meant no justice at all. A similar discussion arose during the passage of the Workmen's Compensation Bill through the House, and a very important Amendment was inserted upon the question of the right to take the master to the Court of Appeal. In that case the Government allowed the House to take its own course, and that Amendment was carried in spite of the arguments brought against it. Then, as now, it was said that the character and simplicity of the Bill would be destroyed, and that artisans would be involved in great expense, but ultimately the Amendment was inserted. It was no doubt essential to have a simple form of doing justice, but the object of such a system was, it must be remembered, to do justice between the parties, and it should be made so plain that the people knew what to expect when they went to law. Probably the most simple system of law and administration the world had ever seen was the system of revolutionary government under the Convention in 1793. Nothing could exceed the simplicity of that procedure under which people could get a decision in an extraordinarily short space of time—cases of a criminal character being disposed of in the space of twenty-four hours. But because the procedure

was simple it was not good. Simplicity was apt to be synonymous with a rough and ready system of justice, which was often very unfair. This Bill was one which undoubtedly commanded wide support, but it was impossible not to see, even in the course of the present discussion, that the Bill might be used as a platform for further legislation of a much more objectionable character. The hon. Member for East Northamptonshire frankly said that he regarded the Bill as very faulty. He said it did not go far enough, and he anticipated that in the future legislation must go much further. His right hon. friend the President of the Board of Agriculture had argued as from past precedents, and a similar argument would be applicable to all the precedents set up under this Bill. Therefore they were entitled to consider this Bill most carefully, and he earnestly hoped that the Government, in spite of exhortations coming from the other side, would not shut the door in the face of their own supporters. It was, of course, only too easy for the Government, anxious to pass the Bill, to remember that opponents could give more trouble than supporters, and not to give too much consideration to the merits of the case. He hoped, however, that that would not be the case in regard to the present Bill, and that the Government would decide these questions in accordance with right and justice.

THE ATTORNEY GENERAL (Sir ROBERT FINLAY, Inverness Burghs): There is one point on which I cannot agree with my noble friend who has just spoken. He said that our opponents could always give more trouble than our supporters. I am not sure that my noble friend has described that matter accurately. I was very glad to hear my noble friend the Member for South Kensington say that this is a good Bill, and that, on the whole, he is anxious that it should pass. I gather that that is the opinion of all the other noble Lords and hon. Members who have spoken. Various points have been raised, but I would remind the House that what we are now asking is that this Bill should be considered, and all these points, of course, will be considered at the proper time and in the proper way. It has been said that the clause with regard to the right of distress goes too far, but the intention of that clause is to carry out what was the object of the Legislature in 1883, and if anyone can say that that intention has not been carried out it will be legitimate ground for considering whether the law should not be amended. There are only one or two points on which I wish to say a word or two at this stage. I shall refer first to the construction of the second section of the Bill—

> "If a tenant claims to be entitled to compensation, whether under the principal Act or this Act, or under custom, agreement, or otherwise, in respect of any improvement comprised in the First Schedule of this Act, and if the landlord and tenant fail to agree as to the amount and time and mode of payment of such compensation, the difference shall be settled by arbitration in accordance with the provisions, if any, in that behalf in any agreement between landlord and tenant, and in default of and subject to any such provisions by arbitration under this Act in accordance with the provisions set out in the Second Schedule to this Act."

Provision is made for raising any question of law which may relate to one of the parties and which may not relate to the other. I quite agree with my hon. friend the Member for the Woodbridge division that landlord and tenant before they rush to arbitration will probably, like sensible Englishmen, take skilled advice, and put their differences in the hands of experts, although, of course, there is no obligation upon them to do so. If they fail to agree, after every facility has been afforded, then, and not till then, they will go to arbitration. The practice hitherto in too many cases has been for the landlord and tenant when they failed to agree each to appoint his arbitrator. The provision now is that if any question of law emerges in the course of the arbitration either party may require the arbitrator to state a case, and if the Judge of the County Court directs that he should do so he is bound to state a case. In the second schedule of the Bill the ninth rule says:

> "The arbitrator may at any stage of the proceedings, and shall, if so directed by the judge of a county court (which direction may be given on the application of either party) state in the form of a special case for the opinion of that court any question of law arising in the course of the arbitration."

I would ask the House whether it is not more convenient, if a question of law arises in the course of an arbitration, that it should be disposed of while the case is pending and before the final award.

Formerly the matter went to award, and from that there was an appeal. I do not think the words in regard to that matter can be made clearer. It is not the intention of the Bill in any way or in the slightest degree to prevent full consideration by the court of any question of law that arises. It would be a question of law whether an improvement was of such a nature that compensation was fair or not under the Act, but with regard to that we desire that the fullest opportunity should be given for the consideration of these questions. The appeal on the question of law is intended to be conserved, and, if any change is necessary to make that clear it can be considered when the Bill is dealt with upon the Report stage.

MR. HUMPHREYS-OWEN (Montgomeryshire): The point in the Bill which we have hitherto been discussing does not seem to me to be nearly so important as the point which originated the discussion—I mean the point raised by the noble Lord opposite, namely, the direction to the arbitrator that he should specify in his award the different heads. He referred to what is done under the Lands Clauses Act, but the case is not at all parallel to the number of different questions which will be raised between landlord and tenant as to the various improvements specified in the Bill. Each separate improvement raises a separate consideration, and it is perfectly reasonable that the parties should be told in which of these points they have succeeded and in which of them they have failed. Moreover, it is considered that many of the arbitrators before whom those questions will come will not be men of any very great experience, and certainly will not have any great amount of practice in deciding upon points on which they have to say yes or no. It will tend very greatly to satisfactory awards if they are tied down to state in each case what the breach of covenant consists in, what the claims consist of, and what the award is in each case. Another question has been raised as to distress. It has been said that this is a tenants' question, but it must not be forgotten that the existence of the right of distress necessarily tends to increase competition for farms, because it enables men with rather less capital to take farms on account of there being a first charge in favour of the landlord for a considerable amount. It is said that to give the right of distress will encourage small holdings. In my opinion it is not likely to have that result, and I speak with very considerable experience in small holdings. My experience is, if a small holder once gets into arrear his case is hopeless, and it is better that there should be no inducement to the landlord to give indulgence. That clause in the Bill should be allowed to stand. Complaints have been made against putting permanent grass and other improvements of that kind in the category of those which in the view of the landlord are not required. There is no doubt that any sensible landlord would assent to the laying down of permanent pasture, and the planting of osier beds, if done reasonably and by a reasonable tenant; but there is still a considerable number of absentee landlords whose estates are managed in a rigid way, not by agents familiar with country affairs, but by London lawyers or agents. On these grounds I hope the Government will consider before we come to the Report stage the suggestion made, and if the noble Lord the Member for Horncastle should press any Amendment in the direction he has indicated certainly I should be very glad to support it.

*MR. JONATHAN SAMUEL (Stockton): I have listened with astonishment to the different views expressed as to the mode of arbitration procedure under Clause 2, and therefore it is very difficult to understand what the procedure will be. The suggestion I am going to make to the Government is this. During the negotiations between this Government and the Transvaal Government before the outbreak of the war, the Transvaal Government introduced a Bill offering to reduce the term of qualification for the franchise to five years for Uitlanders, the Colonial Secretary made the very unique suggestion that the Transvaal Government should appoint a joint Commission to inquire into the working of the law before it came into operation—that is, if the Bill became law. My suggestion is that the Government should try the experiment by suspending this Bill and appointing a Commission to inquire as to how the second clause would work. I believe that suggestion to the Transvaal Government was a unique one, and it would be interesting if the Government would try the experiment on their own

particular measures. Members who had listened to the discussion on this side of the House were absolutely in a state of confusion as to what this clause is.

MR. GIBSON BOWLES (Lynn Regis): I certainly think it is most proper that this Bill should be considered, and I would suggest respectfully that it should be considered from the point of view of the drafting. My view is that it is the extraordinary method of drafting that has caused much of the confusion that has been apparent during this debate, and to that also is no doubt due the outburst of the noble Lord. It is in consequence of the defects of drafting that the Bill as it stands is the most remarkable example of referential and allusive legislation I have ever come across. As it stands the Bill is an absolute cryptogram, and nobody can possibly approach to an understanding of it until he has provided himself with nine other Acts of Parliament. Without these it is as much a mystery as the hieratic writing of the great Egyptian priests was a mystery to the common people who only understood the common writing. Yet the Act is intended for plain men, and to enable landlords and tenants to understand their positions and relations to each other. The whole suggestion of the Attorney General is that they should make up their minds as to what their powers are, what the justice of the case demands, and then consult an expert. Pass the Bill as it stands, and no landlord or tenant, unless inspired with extra wisdom from on high, will be able to understand what his rights are. I will give an example from the first clause—

"References in the principal Act to the First Schedule to that Act shall be construed as references to the First Schedule to this Act."

At the end of the second clause I find these words—

"Subject to any provision contained in any agreement between landlord and tenant the Arbitration Act, 1889, shall not apply to any arbitration to which this Act applies."

The third clause contains the following—

"Sections twenty-nine, thirty, and thirty-one of the principal Act shall apply to any money paid by or due from a landlord to a tenant as compensation for any improvement comprised in the First Schedule of this Act, whether the compensation be claimed under this Act or under custom or agreement or otherwise."

Mr. Jonathan Samuel.

I do not think anybody can understand that clause without collating all the different Acts. I desire once again to renew the protest I have made many times as to the monstrous abuse perpetrated by one Government after another, perpetrated by one front bench after another, in introducing into the House, and passing by Government majorities, Bills which no human being can understand. It is perfectly outrageous to pass a Bill like this which you cannot understand until you have learned by heart nine other Acts. On a representation being made to the late Government on the subject, when the Behring Sea Bill was before the House, they embodied all the clauses of other Acts to which the Bill itself alluded. That was reasonable. If the Government had done this now, I should not require to make any reference to this matter. Look at this cryptogram in the tenth section—

"References to the principal Act and to Sections 29, 30, 32, and 34 thereof, shall be construed as references to the Agricultural Holdings (Scotland) Act, 1883, and to Sections 24, 26, 25, and 30, thereof, respectively. References to Sections 31 and 39 of the principal Act shall not apply."

One more quotation from the tenth clause—

"A reference to the Arbitration Act, 1899, shall be construed as a reference to the Arbitration (Scotland) Act, 1894, and a reference to the Market Gardeners' Compensation Act, 1895, shall be construed as a reference to the Market Gardeners' Compensation (Scotland) Act, 1897."

Clause 9 contains the following—

"References to 'manures' in the principal Act, and this Act shall be construed as references to the improvements numbered twenty-four, twenty-five, and twenty-six, in Part 3 of the First Schedule to this Act."

You have no right to ask this House to spend its time passing solemn Acts of Parliament to which the Royal Assent should be given, and by which the people of this country should be bound, without giving them some chance of understanding what the law is. Many and many a time in this House I have risen to protest against this system of not saying what you mean. Why do you not say what you mean? Are you ashamed to say it? Do you think the House will not accept it? If either of these reasons were true you ought not to introduce the measure. If you are not ashamed of it, if you do understand it, and if you believe the

House will adopt it, in God's name state it in plain language. The landlord has got to try to understand the Act; the tenant has got to try to understand the Act; even the unhappy Court of Arbitration has got to try to understand it. Will you give none of them a chance? Are you determined that nobody should know what it is you put into an Act of Parliament? Do let us once for all come to a resolution to bring to an end this mischievous, false, deceitful, and dishonest system of getting the House of Commons to pass clauses in Acts of Parliament which do not say what they mean, which allude to other Acts of Parliament—and not even to them, but only to them with differences, and differences upon differences, and again differences upon those. It is not creditable to Her Majesty's Government, it is not creditable to the House of Commons, and it is not creditable to the country.

MR. HEYWOOD JOHNSTONE (Sussex, Horsham) was understood to express his entire agreement with the complaint of the last speaker. He had no conception until this discussion of the infinite possibilities which lay within the four corners of the Bill under consideration. Apparently a tenant might be entitled to compensation in five different ways in respect of any of the improvements comprised within the schedule to the Bill, and of those improvements there were thirty-four. Each person was to appoint his expert, and these experts were to sit down and endeavour to agree, but if they could not agree absolutely and entirely the matter was to go before the arbitrator. This was simplicity of procedure; this was shortening the deliberations between landlord and tenant at the expiration of a tenancy. This was deliberately put before the House as a means of simplifying the relations between landlord and tenant. Simplicity indeed! One's mind almost reeled at the contemplation of the possible variety of claims that might be put forward in different ways. He preferred the simplicity of the common law, even before the Common Law Procedure Act. He was greatly in favour of anything which would simplify procedure; but there was one thing more desirable than simplicity, and that was certainty. When they were dealing with a multiplicity of facts such as might reasonably arise under the third schedule of the Bill, what possible objection could there be to the arbitrator giving the amount he had arrived at on each item? That would be much more satisfactory than lumping them together and leaving the parties to discover for themselves the compensation awarded in respect of particular items. He did not very much care whether the Bill passed into law or not, but if it did he hoped it would first be amended in several material particulars.

MR. H. C. RICHARDS (Finsbury, E.): I have no doubt the Attorney General will suggest that I am somewhat obtuse, but up to the present I have failed to understand the position of Clause 3 and Clause 2. I propose to deal with Clause 3 first. Under that clause the powers of the County Court are to be exercised by the Board of Agriculture, "and 'the Board of Agriculture' accordingly should be substituted for 'County Court' in Sections 29, 30, 31, 32, and 39 of that Act." What I want to understand is how that inquiry is to be dealt with, whether locally, or whether the Board of Agriculture will have a court in London to deal with these questions. While I have every confidence in the President of the Board of Agriculture, I am perfectly confident that, from a legal point of view, that will not prove a satisfactory tribunal, because its decisions will not be properly reviewed by the courts of law. I do not pose as an expert in agricultural holdings, but I do claim to have some knowledge of arbitrations and proceedings in County Courts, and I must say that if there is one way more unsatisfactory than another of obtaining decisions on points of law it is by reference to a County Court. I will give my reasons for that view. In London alone, with which I am more familiar, on the question of the Workmen's Compensation Act, there are two or three County Court Judges who entertain contrary opinions upon particular points in that Act, and one may be fairly clear as to what a variety of decisions there will be if the opinion of County Court Judges is to be taken on these points of law. I venture to say that what the Act of Uniformity deals with in the preface to the Book of Common Prayer about the uses of Sarum, Hereford, and Bangor will certainly be illustrated by a greater number of decisions of, say, the County Courts of Essex,

Hereford, or Cornwall. If points of law arise in regard to the wording of any new Act, the proper and only way of securing simplicity and expedition is by referring that point of law not to the County Court of the district, but to the Court of Queen's Bench, and from there, if necessary, to the Court of Appeal. I am astonished that the Attorney General should be satisfied with the suggestion that these arbitrators, these expert persons with every knowledge of agriculture but none of law, should be permitted to state a case. To state a case for a Superior Court is a work of great difficulty. It has to be drawn first by one side, then approved by the other, and finally approved by the person from whose decision the appeal is to be made. What sort of a case will be stated by the ordinary arbitrators in an agricultural district, and in what condition will that case find itself when it goes before the County Court Judge? There is another point to which I should like to draw attention. I am perfectly confident that this House ought not to sanction the abrogration of that portion which under Clause 19 of the old Act of 1883 made it absolutely necessary for the arbitrator to give each of his findings under a specific heading. It has been said that in arbitrations which take place under the ordinary rules of the Lands Clauses Consolidation Act, or in arbitrations which arise in connection with public improvements, the arbitrator does not give a specific amount under each head of the claim. But if desired the arbitrator, especially if he is not a legal person, always gives those particulars if he is asked to do so by either of the parties to the inquiry. If the law is to be altered, let it be altered with some probability of the law being ascertained not only in a simple and speedy way, but in a satisfactory way. Then, Sir, why should not Sub-section 3 apply to Scotland? I see later on that no portion of the Bill is to apply to Ireland, but I cannot understand why Sub-section 3 is not to apply to Scotland, while it applies to England. The Bill is a most unsatisfactory one in the way in which it deals with other Acts—in citing, repealing, or incorporating them. One of the most painstaking members of the Court of Appeal, Lord Justice Smith, has complained over and over again of the manner in which Parliament throws at the Judges these Acts with references to a number of other Acts without specifically setting them out. It is not fair to the public, and it is not fair to Her Majesty's Judges. The only thing it does is to make the position of the law utterly impossible for an ordinary person to grasp, and to suggest that an ordinary County Court Judge is to decide points of law under Sub-sections 9 and 10 is a suggestion which might be very well for a political meeting, but it is not worthy of the common-sense or deliberation of this House. I trust that if this Bill is to be persevered with Her Majesty's Government will endeavour to remedy the defects which different hon. Members have pointed out, and which I humbly suggest might be dealt with in a more satisfactory, and certainly in a less complicated, way than they are at present.

CAPTAIN SINCLAIR (Forfarshire): I should like to add one word to what has been said with so much point by the hon. Member for King's Lynn, and that is to renew the protest made at an earlier stage of this Bill against the infringement of the principle which has hitherto been observed in this class of legislation of bringing in separate Bills to deal with the case of Scotland. Much of the complexity to which the hon. Member for King's Lynn alluded is traceable to the fact that instead of having a Scotch Bill amending former Scotch Acts dealing with this question, we have our legislation coupled with English legislation on the same subject. I simply wish to renew the complaint with as much emphasis as I can that we have not got legislation more intelligible to the Scotch farmer and more in accordance with Scotch precedent on this question.

Question put, and agreed to.

*MR. CHANNING: I do not know whether I shall be in order in moving the clause put down by my hon. and gallant friend the Member for Stratford-upon-Avon.

*MR. SPEAKER: The hon. Member cannot move the Amendment of another hon. Member; he can move his own.

*MR. CHANNING: Then I will move my own. I will only say it was my

intention when I put it down to put it down with the slight alteration made by the hon. Member for Stratford-upon-Avon in his draft. As it is, I hope, if the House agrees to the Second Reading, that it will be amended in the sense of my hon. and gallant friend. I do not know that this clause needs many words to recommend it to those who have followed the discussion of this question. The matter was brought before the Royal Commission by nearly every practical witness who went into this question. One of the objections raised to this proposal by the President of the Board of Agriculture was the question of expense. My hon. and gallant friend the Member for Stratford-upon-Avon has received several letters from practical valuers of position in the Midland counties dealing with this question of expense, and I would ask to be permitted to read them to the House. One of these letters is in reply to Colonel Milward, and is as follows—

"In reply to yours of the 18th inst. my own opinion is that the records of farms can be taken at the time the valuation is made, that the charge should be £2 2s. for 100 acres, £3 3s. for 200 acres, £4 4s. for 400 acres, and so on. This would not be a great charge; you can say a minimum charge of £2 2s., and £1 for every 100 acres after the first 100."

Another letter from a Warwickshire valuer says—

"I wired you this morning 'Charges for 100 acres two guineas, 300 acres four guineas.' I do not consider the fee named should prevent its being carried, as such a procedure must be mutual to landlord and tenant. I have not consulted any other valuers as to fees; these are my ideas only."

Then from a Worcestershire valuer—

"I have no doubt valuers will be found who will survey holdings on the fees you mention. I should say, in most cases, it will be done by the landlord or his agent and the incoming tenant themselves. If the Act is passed I should make it part of the terms of letting a farm in our agency that we agree on a statement as to present state of cultivation, etc."

The next is from a Hereford valuer—

"Thanks very much for the Agricultural Holdings Act and Amendments. I have carefully read them through, and I think your clause as regards a record of the condition of the holding a most important and necessary addition. I have for some years on one estate been in the habit of noting in the agreement the state of cultivation at time of entry, which I have found most useful. I also number their gates on the plan, and keep note of what is done to them by a new tenant. It is on very few properties that I have had to do with that any sort of record of cultivation is made, and I think it would save very much trouble to arbitrators and save endless disputes if such a proceeding was made compulsory. As to the fees you name, I think they are reasonable and fair. It is so often said by tenants, 'When I entered my hedges were not trimmed, my ditches were all blocked up, the house drainage was choked, the pump was practically worn out, the boilers were cracked.' After a man has been in a farm twelve or fifteen years it is forgotten, if ever noted, what a farm was like, and if such a record as you propose is made compulsory, and is to form part of the agreement it will be a grand thing for all concerned."

He then gives a schedule showing how he would propose to carry out his idea. I thought, as my hon. and gallant friend furnished me with these letters, I might lay them before the House as practical evidence in support of this clause. My own view has always been that it was a proposal as to the practical machinery of which we should consult and rely upon the opinions of practical men. It seems to me that it will be of the greatest possible advantage to the valuer to have some such record. I think, as has been mentioned in one of the letters I have read, the matter could be dealt with in a very short and clear form, and would certainly lead to the elimination of many causes of dispute between landlord and tenant, because the details could be easily comprehended by both parties, and disputes could be settled reasonably and amicably. This mode of procedure can be carried out without entailing extravagant expenditure on either party, and would be a valuable addition to the Bill. I hope, therefore, Her Majesty's Government will see their way to accept this clause.

New clause—

"Every contract of tenancy entered into after the commencement of this Act shall contain a scheduled record of the agricultural condition of the holding and its several parts, and of the buildings, fences, roads, and drains at the beginning of the contract of tenancy. At any time during a tenancy existing at the commencement of this Act, either party may require a record in similar form to be made by an arbitrator. Copies of all such records shall be deposited in the office of the registrar of the county court, and either party shall be entitled to inspect the same at all reasonable times, and to take copies thereof."—(*Mr. Channing.*)

—brought up and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

*MR. LONG: I hope the hon. Gentleman will not think it necessary to press

his Amendment, because there is really no such agreement among us as he imagines, even as to the theoretical advantages which would arise from a system of this kind. The question which will present itself to every hon. Member is whether it is just to make such a record compulsory on the landlord and the tenant. Whatever such a record would cost—whether the expense would be small, as the hon. Gentleman suggests, or whether it would be large—it would have to be borne not only by the party requiring it, but also by the other. I can conceive that a record carefully and exhaustively made would be of some value, but I confess I heard with surprise the hon. Gentleman's statement that the cost would only be £2 2s. per hundred acres. That strikes me as a very moderate charge if the work is efficiently done, but it seems to me rather a loose way of describing the charge likely to be made. A great deal would depend of course on whether the hundred acres were lying together, or were in separate lots, or if they were composed of the same kind of land or not. Then, again, two guineas may be a reasonable charge for a hundred acres, but if the same amount were charged for thirty acres or forty acres it would, I submit, not be a reasonable charge, and if reasonable in one case it would be excessive in the other. There is nothing to prevent either the landlord or the tenant having a record made; but, without knowing either the form of the record or its cost, I think it would not be desirable to make it compulsory, and under these circumstances I hope the House will not assent to the clause.

MR. HUMPHREYS-OWEN: I hope my hon. friend will press this clause, as it seems to me an extremely valuable one. The objections of the President of the Board of Agriculture are more objections in Committee than objections on the Second Reading. If this Bill is going to be valuable at all it will only be so because it lays down a model form of agreement between landlord and tenant, and if anything tends more effectively than another to soothe the feelings between landlord and tenant at the termination of a tenancy, it is that there should be as few disputes as possible on the question of compensation. In nine cases out of ten the tenancy has lasted for a great number of years. The tenant will tell you that when he went into the farm it was in a state of general neglect, that the fences were broken down and the drains choked up. Then, on the other hand, the landlord will be equally convinced that the farm was in a thoroughly satisfactory condition when the tenant entered it, and who, in the circumstances, can decide between them? The establishment of a record of this kind has the approval of very many eminent agriculturists. I may mention that many years ago it was warmly advocated by a man whom many hon. Members will remember, Mr. Albert Pell, who was one of the most practical agriculturists of this generation. He went even so far as to suggest photographs to show the condition of the fences, but that is a counsel of perfection which I certainly should not care to insist upon. At all events, a record as to the condition of a farm when a tenant enters it can be easily and, I venture to say, cheaply made. In a farm of any considerable size it would be made as a matter of course by the agents and the incoming tenant. As a matter of fact they do now go over the farms in most cases, and the landlord or the agent tells the tenant what he is prepared to do. Where would be the difficulty in putting such a statement into the form of a record, with a few additional particulars regarding the condition of the fences, roads, drains, etc.? I am convinced that the adoption of this clause will tend very greatly to improve the working of the Bill, and I heartily support it.

LORD WILLOUGHBY DE ERESBY: If Her Majesty's Government make no concession on the point I raised at the beginning of the discussion, namely, that the arbitrator should give details of his award, I certainly shall vote with the hon. Gentleman. At present, in many cases, when a tenant gives up his farm the arbitrator decides the amount to be paid to the landlord for dilapidation or waste, and that money is expended in repairing the holding and the farm house. It is impossible for anyone to learn in what state the holding was left by the outgoing tenant, unless it be plainly stated by the arbitrator on what grounds his arbitration is based. Unless some concession is given on this point, I shall certainly support the clause.

SIR WILLIAM WEDDERBURN (Banffshire): I trust my hon. friend will press this clause. The present method of ascertaining the condition of a holding seems to me to be extremely unsatisfactory, and to be done in a merely mechanical manner. What the farmer wants is that the farm should be judged by its general condition and by its fertility, which depends on continuous good husbandry. That is a very delicate matter to decide, and after a period of years it is almost impossible to ascertain what was the condition of the farm when the tenant went into it. This Amendment will be not only useful but also economical, because it will prevent disputes. The right hon. Gentleman in charge of the Bill objects to this clause because it is obligatory, but my hon. friend has stated that he will be willing to accept the wording of the clause which stands first on the Paper, and which is entirely permissive, leaving the tenant to ask for a record or not as he likes. Of course, if he asks for it he will have to pay for it. That would get rid not only of the objection that the clause is obligatory, but also of the objection with regard to the cost. The difficulty is that almost all valuers are regarded as either landlords' men or tenants' men, and what we want is impartial men appointed as permanent officials who would be very careful not to lean either to one side or the other. The fee should be a moderate one, and a very small payment would enable this valuable record to be made.

*SIR JOHN KINLOCH (Perthshire, E.) thought that this clause was quite unnecessary. It was a clause to defend landlords. They, the landlords, were perfectly able to defend themselves. In all their leases the objects of this clause were taken notice of except the agricultural condition of the holding. The criterion by which they could judge that was the sum paid to the outgoing tenant for compensation. All the other things, such as buildings and drains, were guarded in the lease. From the tenants' point of view, it would be most objectionable to have a fussy landlord or factor coming in every year to make a record.

MR. HEYWOOD JOHNSTONE pointed out that in this clause no provision was made as to who was to make this scheduled record, and there was nothing as to who should pay for it. The parties might not be able to agree, and no provision was made for a third party. The tenant had ample opportunities of looking into all the matters raised by this clause, and of gauging the agricultural condition of his holding and of seeing what the conditions of the buildings were. The clause provided that—

> "At any time during a tenancy existing at the commencement of this Act, either party may require a record in similar form to be made by an arbitrator."

There was no suggestion there as to who was to appoint the arbitrator or who was to pay him. He did not think this matter had been sufficiently considered by the hon. Member who moved the clause. He certainly thought that the clause as drafted was absolutely unworkable, and would operate to the disadvantage both of the landlord and the tenant.

Question put.

The House divided:—Ayes, 46; Noes, 142. (Division List No. 168.)

AYES.

Ashton, Thomas Gair
Billson, Alfred
Bolton, Thomas Dolling
Broadhurst, Henry
Brunner, Sir John Tomlinson
Buchanan, Thomas Ryburn
Caldwell, James
Cawley, Frederick
Daly, James
Dalziel, James Henry
Doogan, P. C.
Evershed, Sydney
Ffrench, Peter
Flavin, Michael Joseph
Gurdon, Sir William Brampton
Horniman, Frederick John
Hutton, John (Yorks, N.R.)
Jameson, Major J. Eustace
Jones, W. (Carnarvonshire)
Lawson, Sir Wilfrid (Cumb'l'nd
Long, Col. Chas. W. (Evesham
Lough, Thomas
Macaleese, Daniel
MacNeill, John Gordon Swift
M'Ghee, Richard
M'Hugh, Patrick A. (Leitrim)
M'Kenna, Reginald
Mendl, Sigismund Ferdinand
Murnaghan, George
O'Dowd, John
O'Keeffe, Francis Arthur
Price, Robert John
Reckitt, Harold James
Richardson, J. (Durham, S.E.
Roberts, John Bryn (Eifion)
Roberts, John H. (Denbighs.)
Samuel, J. (Stockton-on-Tees)
Shaw, Charles Edw. (Stafford)
Sullivan, Donal (Westmeath)
Sullivan, T. D. (Donegal, W.)

Warner, Thomas CourtenayT.
Wedderburn, Sir William
Williams, JohnCarvell(Notts.
Wilson, FrederickW. (Norfolk
Woodhouse,SirJT(Huddersfld
Woods, Samuel

TELLERS FOR THE AYES—Mr. Channing and Mr. Humphreys-Owen.

NOES.

Archdale, Edward Mervyn
Arrol, Sir William
Atkinson, Rt. Hon. John

Bailey, James (Walworth)
Baillie, J. E. B. (Inverness)
Balcarres, Lord
Balfour, Rt. Hn. G.W. (Leeds
Banbury, Frederick George
Beach,Rt.Hn.SirM.H.(Bristol
Beaumont, Wentworth C. B.
Bethell, Commander
Blundell, Colonel Henry
Boscawen, Arthur Griffith-
Brassey, Albert
Brodrick, Rt. Hon. St. John

Cavendish, R. F. (N. Lancs.)
Cavendish,V.C.W.(Derbysh.)
Chamberlain, J. A. (Worcester
Chaplin, Rt. Hon. Henry
Charrington, Spencer
Collings, Rt. Hon. Jesse
Cook, Fred. Lucas (Lambeth)
Cooke, C. W. R. (Hereford)
Corbett, A. Cameron (Glasg'w)
Cornwallis,FiennesStanleyW.
Cross, Herbert S. (Bolton)
Cubitt, Hon. Henry

Dalkeith, Earl of
Digby, John K. D. Wingfield-
Douglas, Rt. Hon. A. Akers-
Douglas, Chas. M. (Lanark)
Dyke, Rt. Hon. Sir Wm. H.

Egerton, Hon. A. de Tatton

Faber, George Denison
Fardell, Sir T. George
Finch, George H.
Finlay, Sir Robert Bannatyne
Fisher, William Hayes
FitzGerald, Sir R. Penrose-
Fitzmaurice, Lord Edmond
FitzWygram, General Sir F.
Fletcher, Sir Henry
Flower, Ernest
Foster, Colonel (Lancaster)
Foster, Harry S. (Suffolk)

Galloway, William Johnson
Gedge, Sydney
Godson, Sir Augustus Fred.
Goldsworthy, Major-General
Gordon, Hon. John Edward
Gorst, Rt. Hn. Sir John Eldon
Goulding, Edward Alfred
Gull, Sir Cameron

Hanbury, Rt. Hn. RobertWm.
Hanson, Sir Reginald
Hardy, Laurence
Hayne, Rt. Hn. Charles Seale-
Heath, James
Henderson, Alexander
Hickman, Sir Alfred
Hoare, Sir Samuel (Norwich)
Hudson, George Bickersteth

Jeffreys, Arthur Frederick
Johnston, William (Belfast)
Johnstone, Heywood (Sussex)

Keswick, William
Kinloch,SirJohnGeorgeSmyth

Lafone, Alfred
Lawson, J. Grant (Yorks.)
Leese, Sir Jos. F. (Accrington
Leigh-Bennett, Henry Currie
Llewelyn,SirDillwyn-(Swans.
Loder, Gerald Walter Erskine
Long, Rt. Hon. W. (Liverpool)
Lowe, Francis William
Lyttelton, Hon. Alfred

Macartney, W. G. Ellison
Macdona, John Cumming
MacIver, David (Liverpool)
Maclure, Sir John William
M'Arthur, Charles (Liverpool)
M'Calmont, Col. J. (Antrim,E
Massey-Mainwaring,Hn.W.F.
Middlemore, Jn. Throgmorton
Monckton, Edward Philip
Moore, William (Antrim, N.)
More, R. Jasper (Shropshire)
Morgan,Hn.Fred.(Mon'mthsh
Morrell, George Herbert
Morton, A. H. A. (Deptford)
Murray,RtHnAGraham(Bute)

Newdigate, Francis Alexander
Nicholson, William Graham
Nicol, Donald Ninian
Pease,HerbertPike(Darlingt'n
Pease, Joseph A. (Northumb.)
Peel, Hon. Wm. Robert W.
Phillpotts, Captain Arthur
Pilkington, R. (Lancs,Newton)
Platt-Higgins, Frederick
Plunkett,RtHnHoraceCurzon
Pollock, Harry Frederick
Powell, Sir Francis Sharp
Pretyman, Ernest George
Purvis, Robert

Rankin, Sir James
Rasch, Major Frederic Carne
Renshaw, Charles Bine
Rentoul, James Alexander
Richards, Henry Charles
Ridley,Rt.Hn.Sir Matthew W
Ritchie,Rt.Hn.Chas.Thomson
Robertson, Herbert (Hackney)

Sandon, Viscount
Shaw, Thomas (Hawick B.)
Shaw-Stewart,M.H.(Renfrew)
Sidebottom,William (Derbysh
Sinclair, Capt. J. (Forfarshire
Sinclair, Louis (Romford)
Smith, Abel H.(Christchurch)
Smith, James Parker(Lanarks
Smith, Hon. W. F. D.(Strand)
Strauss, Arthur
Sturt, Hon. Humphry Napier

Talbot, RtHnJ.G.(Oxf'dUniv.
Thorburn, Sir Walter
Thornton, Percy M.
Tollemache, Henry James
Tomlinson, Wm. Edw. Murray

Warde, Lieut-Col. C. E.(Kent)
Welby, Lt-Col.A.C.E.(Tauntn
Welby, Sir C. G. E. (Notts.)
Williams, Colonel R. (Dorset)
Williams, Joseph Powell-(Bir.
Willox, Sir John Archibald
Wilson, J.W.(Worcestersh.N.
Wodehouse,RtHonE.R.(Bath)
Wylie, Alexander
Wyndham, George
Wyvill, Marmaduke D'Arcy

Young, Commander (Berks, E.

TELLERS FOR THE NOES:—Sir William Walrond and Mr. Anstruther.

It being after Midnight, further Proceeding on Consideration, as amended, stood adjourned.

Bill, as amended (by the Standing Committee), to be further considered To-morrow.

CHARITABLE LOANS (IRELAND) BILL.

Read the third time, and passed.

CUSTOMS DUTIES (ISLE OF MAN) BILL.

Read the third time, and passed.

EXECUTORS (SCOTLAND) BILL.

As amended (by the Standing Committee), considered; Bill read the third time and passed.

Adjourned at Ten minutes after Twelve of the clock.

HOUSE OF LORDS.

Tuesday, 3rd July, 1900.

PRIVATE BILL BUSINESS.

The LORD CHANCELLOR acquainted the House that the Clerk of the Parliaments had laid upon the Table the Certificates from the Examiners that the further Standing Orders applicable to the following Bills have been complied with :—

London County Council (Money).
Tottenham Urban District Council.

The same were ordered to lie on the Table.

STANDING ORDERS COMMITTEE.

Report from, That the Standing Orders not complied with in respect of the following Bill :—

West Ham Corporation,

ought to be dispensed with, and the Bill allowed to proceed.

Read, and agreed to.

DEVONPORT CORPORATION BILL.

The CHAIRMAN OF COMMITTEES informed the House that the opposition to the Bill was withdrawn. The Order made on the 25th of June last discharged, and Bill committed.

EXETER CORPORATION BILL.

The CHAIRMAN OF COMMITTEES informed the House that the opposition to the Bill was withdrawn. The Order made on the 14th of May last discharged, and Bill committed.

LONDON AND SAINT KATHERINE DOCKS AND EAST AND WEST INDIA DOCK COMPANIES BILL.

BUENOS AYRES AND ROSARIO RAILWAY BILL [H.L.].

ST. ALBANS WATER BILL.

Reported with Amendments.

MORLEY CORPORATION BILL [H.L.].

Read 3ª, and passed, and sent to the Commons.

BRITISH GASLIGHT COMPANY (STAFFORDSHIRE POTTERIES) BILL.

Read 3ª, and passed.

LATIMER ROAD AND ACTON RAILWAY BILL.

Read 3ª, with the Amendment, and passed, and returned to the Commons.

CROYDON TRAMWAYS AND IMPROVEMENTS BILL.

CUMBERLAND COUNTY COUNCIL (BRIDGES) BILL.

PLYMOUTH, STONEHOUSE, AND DEVONPORT TRAMWAYS BILL.

Brought from the Commons; read 1ª; and referred to the Examiners.

EDUCATIONAL BOARD PROVISIONAL ORDERS CONFIRMATION (BRIGHTON AND PRESTON UNITED DISTRICTS, ETC.) BILL [H.L.].

Returned from the Commons agreed to.

GLASGOW AND SOUTH WESTERN RAILWAY BILL [H.L.].

SOUTH EASTERN RAILWAY BILL [H.L.].

Returned from the Commons agreed to, with Amendments. The said Amendments considered, and agreed to.

TRAMWAYS ORDERS CONFIRMATION (No. 2) BILL [H.L.].

Amendments reported (according to Order), and Bill to be read 3ª on Thursday next.

ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 9) BILL. (No. 155.)

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 7) BILL. (No. 156.)

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 9) BILL. (No. 157.)

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 13) BILL. (No. 158.)

PERTH AND PAISLEY GAS PROVISIONAL ORDERS BILL. (No. 159.)

Brought from the Commons; read 1ª; to be printed; and referred to the Examiners.

RETURNS, REPORTS, ETC.

TRADE REPORTS (ANNUAL SERIES).

No. 2468. Turkey (Salonica and District);
No. 2469. China (Chinkiang);
No. 2470. Brazil (Bahia).

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

CELTIC ORNAMENTS FOUND IN IRELAND.

Summary, prepared by the Treasury, of facts and correspondence with respect to certain Celtic ornaments found in the year 1896, at Limavady, in the north-west of Ireland.

Presented (by Command), and ordered to lie on the Table.

DISTRICT COUNCILLORS AND GUARDIANS (TERM OF OFFICE) BILL.

[SECOND READING]

Order of the Day for the Second Reading read.

THE EARL OF YARBOROUGH: My Lords, when the district councils were created it was enacted that one-third of the councillors should vacate office annually; but power was given to the county council, on the request of any district council, to vary this procedure and to require that all the councillors should vacate office simultaneously every third year. No power, however, was given to the county council to rescind this order should the district council wish to return to the normal procedure. This case has arisen at Woodbridge in Suffolk, and the Law Officers of the Crown have ruled that a Bill is necessary to remedy the omission. This Bill has passed the other House without opposition; it has not been opposed by the Local Government Board; and therefore I ask your Lordships to give it a Second Reading.

LORD JAMES OF HEREFORD: In the absence of my noble friend Lord Harris, I am asked to say that the Local Government Board approve of this Bill, as representing a practical way of getting over the difficulty to which the noble Earl has referred.

Bill read 2ª (according to Order), and committed to a Committee of the whole House on Thursday next.

ANCIENT MONUMENTS PROTECTION BILL.

Read 3ª, (according to Order), with the Amendments; further Amendments made. Bill passed, and returned to the Commons.

COMMONWEALTH OF AUSTRALIA CONSTITUTION BILL.

House in Committee (according to Order). Bill reported without amendment. Standing Committee negatived; and Bill to be read 3ª on Thursday next.

COLONIAL STOCK BILL [H.L.].

House in Committee (according to Order). Bill reported without amendment; and recommitted to the Standing Committee.

QUEEN ANNE'S BOUNTY BOARD.

Moved, That the Commons' Message of Thursday last be taken into consideration (*The Earl Waldegrave*); agreed to. The said Message considered accordingly. Then it was moved that a Committee of Five Lords be appointed to join with a Committee of the House of Commons to consider the constitution of Queen Anne's Bounty Board, and to report whether economy and efficiency of administration would be promoted by any change in its constitution or by its amalgamation with any other body; agreed to.

Then a Message was ordered to be sent to the House of Commons, in answer to their said Message, to inform them of the appointment of the said Committee by this House.

CHARITABLE LOANS (IRELAND) BILL. (No. 152.)

CUSTOMS DUTIES (ISLE OF MAN) BILL. (No. 153.)

EXECUTORS (SCOTLAND) BILL. (No. 154.)

Brought from the Commons; read 1ª; and to be printed.

MARRIAGE ACT AMENDMENT BILL [H.L.].

Reported from the Standing Committee with further Amendments. The Report of the Amendments made in Committee of the whole House and by the Standing Committee to be received on Thursday next; and Bill to be printed as amended. (No. 160.)

UNION OF BENEFICES ACT, 1860, AMENDMENT BILL [H.L.].

Reported from the Standing Committee without amendment, and to be read 3ª on Thursday next.

CREMATION BILL [H.L.].

Reported from the Standing Committee with further Amendments. The Report of the Amendments made in Committee of the whole House and by the Standing Committee to be received on Friday next; and Bill to be printed as amended. (No. 161.)

BURIAL GROUNDS BILL.

Reported from the Standing Committee without amendment, and to be read 3ª on Friday next.

House adjourned at Twenty minutes before Five of the clock, to Thursday next, half past Ten of the clock.

HOUSE OF COMMONS.

Tuesday, 3rd July, 1900.

PRIVILEGE—NOTICES OF QUESTIONS.

MR. SWIFT MACNEILL (Donegal, S.): I wish to ask your kind attention, Mr. Speaker, to a matter which I think affects the privileges of Members of this House. Yesterday I gave notice that to-day I would repeat a question I had on the Paper with regard to the capture of the Derbyshire Regiment, a question which the Under Secretary for War, in my opinion, had not answered. I expected that, as a matter of course, after I had given notice across the floor of the House, it would appear among to-day's questions, but it does not do so. I wish to know if the omission is made by your direction or if it is the act of the clerks, from whom I have always received so much courtesy. If it has been done after consulting you, I think I should have been communicated with.

*MR. SPEAKER: I think it may save time if I at once state that the hon. Member was understood simply to have given notice that he would put the question some other day. The Clerk at the Table consulted me, and as he said that no notice had been given by the hon. Member to put the question down for the next day, I directed to wait until fresh instructions were given. I understood also that the Under Secretary for War thought he had answered the question, in which case it should not be put down again.

MR. SWIFT MACNEILL: It must have been my fault for not speaking distinctly. I certainly did give the notice. I hope the hon. and learned Gentleman, however, will now put the question down for Thursday.

*MR. SPEAKER: That shall be done if the hon. Member thinks the question has not been answered.

MR. SWIFT MACNEILL: Certainly I consider it has not been answered.

PRIVATE BILL BUSINESS.

ELECTRIC LIGHTING PROVISIONAL ORDER (No. 11) BILL. (BY ORDER.)

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

*CAPTAIN NORTON (Newington, W.): In moving the rejection of this Bill, I desire to say that I do so not only by the special request of the vestry of the important parish affected by it—Marylebone—but also by the wish of other public authorities in London, and especially of the parish a portion of which I have the honour to represent in this House. I make this statement in order to show that this is no narrow issue as between the parish of Marylebone and a certain electric lighting company, but that it is a matter which affects important parishes throughout this immense and thickly-populated area of the county of London. This Bill comes forward at a most inopportune moment, inasmuch as it is on the eve not of the creation, but of the coming into being of the great London boroughs on the 1st November next. It will be a matter of the gravest concern to every one of these great areas if at this moment the parish of Marylebone is to be placed in the position that a second electric lighting company is to be brought into competition with the existing company, with the result that the new borough authority, when it comes into existence, will either have to forego for many years the right and power to supply its own electric light, or will have to buy out at enormous cost the two companies. This is in no sense a party matter, and I believe I am justified in saying that the President of the Board of Trade has left it an open question, and that he desires

the House itself to settle the issue. Neither is it a question of municipal trading, inasmuch as from time immemorial it has been deemed to be one of the primary duties of local bodies to control the lighting of the area for the management of which they are responsible. Seeing that the formation of these new metropolitan boroughs was carried in this House by a majority of the votes of hon. Gentlemen opposite, and in opposition to the wishes of many on this side, I would point out to those who desire to treat this as a party question that if they pass this measure they will practically be handicapping and weighting the horse that they themselves have backed. It is of the first importance that these new borough councils should have a fair field. They were created with the express purpose of bringing new municipal life into the administration of the great areas throughout the metropolis, and with a view of encouraging men of a superior class to join the local bodies. So far as the borough of Marylebone is concerned the new borough council will be practically identical with the present district, and by passing this Bill you will be placing it in a position in which it will be unable to deal effectively with the electric lighting of its area. I wish to be perfectly fair to the House in this matter. I have no intention of attempting to make a lawyer-like speech, but I will be perfectly frank, and give a plain statement of what has occurred. I will do absolute justice not only to the company which is promoting this Bill, but also to the company which now has possession of the electric lighting of Marylebone. I frankly acknowledge that the vestry have been at fault. In the year 1889 it allowed the Metropolitan Company to provide electric light, in view of the reserve powers granted to them by the Acts of 1882 and 1888, and having in view the risks, seeing that electric lighting was not in the advanced stage it has now reached, and it was, consequently, a highly speculative matter. The vestry, bearing in view those facts, agreed to forego the power which they might have obtained themselves to supply the electricity, and allowed the Metropolitan Company to undertake the duty. For a certain time the company did the work fairly well, but eventually, owing to the fact that the demand for the light in this great and rich parish enormously increased, the company became unable to give complete satisfaction to the inhabitants of the district. They were, moreover, handicapped by the fact that they were building a large generating station at Willesden. Some years later the vestry, overwhelmed to some extent by complaints from the inhabitants of the parish, applied for an Order to enable it to supply the electric light, and at the same time two other companies made a similar application, one of them being the company which is promoting the present Bill. What happened? The Board of Trade granted the Order, but left it to the House to decide whether or not the vestry should be allowed to compete with the existing company. The House—very fairly, as I think—decided in favour of the Metropolitan company, inasmuch as that company had borne the toil and heat of the day. It had entered on a risky undertaking, and, up to a certain period, had given satisfaction. Some years later the vestry applied again for an Order, and again failed, and it then brought in a private Bill with a view to buying up the Metropolitan Company, either voluntarily or compulsorily. The company opposed that, and the House of Commons again decided against the vestry and in favour of the company. What has happened now? The vestry have once more decided to apply for a Provisional Order, more especially in view of the fact that they are soon to be constituted a borough council. But, at the same time, another electric lighting company, which is identical with the St. James's Lighting Company—perhaps one of the best electric lighting companies in the metropolis—is also attempting to get a footing in the parish of Marylebone, and if it does so the local authority will eventually be obliged to buy it out at enormous cost. What does the company urge in favour of its scheme? I have here the document in which they put forward their claim to support. They point to the fact that in 1889 the vestry adopted a report of its Parliamentry Committee, stating that, "in the belief of the Committee, competition between two companies would be beneficial to the parishioners." No doubt, at that time, when the vestry were being harassed by complaints of the inefficiency of the supply, they did believe that competition would be a good thing. Then the promoters go on to point out that at a meeting held at the Board of Trade on

Captain Norton.

the 21st March, 1900, to consider the grant of the present Order, counsel for the vestry stated that "the vestry has always been in favour of competition in this parish, and they are still in favour of it." But what is the reply of the President of the Board of Trade, at the close of his remarks when he received the deputation in January? He said he thought the deputation would have "done some good in ventilating the subject, and in showing how burdensome the present state of things was, and how necessary it was that a remedy should be found." Well, that remedy has been found in a provisional agreement which has been come to between the representatives of the vestry and of the Metropolitan Company, to buy out the latter, and, therefore, whatever there may have been in the statement that the vestry favoured competition, that statement now counts for nothing. I notice in this document from which I have been quoting there is a statement, made prominent by the fact of its being printed in red ink, to the following effect —

"It is stated that since the notice of objection to the Second Reading was given a committee of the vestry have made a provisional agreement with the Metropolitan Company for the purchase of the undertaking of the latter company within the parish at an enhanced price. Neither party having the necessary powers to make such an agreement, it is *ultra vires*, and cannot be binding upon either party."

We know it cannot, but the vestry have done all that they can do by entering into this provisional agreement. I may further add that the existing Metropolitan Company, which formerly opposed this measure, distinctly contradicts the statement I have read, and says it can be disproved by a reference to the Parliamentary Paper (Electric Lighting, Metropolis) (No. 189). The true position of the matter is stated in the Parliamentary Paper of 1889 (page 9) as follows—

"The Marylebone authorities object to more than one company having powers in their district, and have entered into agreements with the Metropolitan Company."

Seeing that this agreement has been entered into, and seeing also that the company which has a real status in the parish is at one with the vestry, I think I am justified in saying that it would be directly against the interests of the community to allow a second company to come in—a company which could not compete, a company which would never be in a position to compete, and which would do nothing more than thwart the efforts of the new borough council to do its duty, and which would ultimately force that borough council to buy it out at a heavy cost. I may further state that the vestry has not only petitioned Parliament against this Bill, but it is prepared to oppose it at every stage. If you pass this Bill the new borough council will not be able, like some of its neighbours, to supply the electric current at something like 3d. per unit, and private householders will have to pay probably 6d. per unit, and business premises 5d., while the parish itself will have to go on paying £30 per lamp instead of being able to supply its own lamps at a cost of £20 each per year, as is done in the adjacent parish of St. Pancras. By passing this Bill you will be depriving the ratepayers of Marylebone of the opportunity of getting better and cheaper facilities for lighting; you will deprive them also of the opportunity of making a profit which could go to the reduction of rates; and, furthermore, you will be bringing in a new authority to tear up the streets of the parish. You must remember that Oxford Street and Marylebone Road both pass through this parish. In one year Oxford Street was opened up 178 and Marylebone Road 111 times. Is it not monstrous you should bring in another company to tear up these streets, to the great detriment not only of the inhabitants of the parish, but of the trade and of the entire community, causing as it does so much inconvenience and loss to the residents and the public? Finally, may I point out that if you pass this Bill you will be stultifying yourselves? This House has passed a measure creating borough councils throughout the metropolis, and at the beginning you are going to stab one of them in the back by preventing it performing one of its most important duties—namely, dealing with the lighting of the parish. By so acting you are taking a distinctly retrograde step in the matter of local government, and at the same time you will be doing a great injustice to the inhabitants of a large and important parish. I beg to move that this Bill be read a second time this day three months.

GENERAL LAURIE (Pembroke and Haverfordwest): I rise to second the motion. I do not propose to go over the ground so well covered by my hon. and gallant friend opposite. I simply stand here as a representative of a metropolitan and municipal authority, which feels that if this privilege is given to a private company in the case of Marylebone it will be given in the case of other municipalities, and that private companies, against the wishes of the local authorities, will be enabled to furnish what it is claimed it would be an advantage to the inhabitants of a municipality to have supplied by the local authority. Twelve years ago the Metropolitan Company was permitted, with the consent of the vestry, to furnish electric light to the parish. But the work has not been done satisfactorily; indeed, matters became so unsatisfactory that the vestry decided to avail itself of their reserve right to instal the light themselves. It accordingly applied for a Provisional Order, but some difficulty arose in regard to it, and Parliament refused it the power to instal, the House taking the view that when certain individuals had invested their money in furnishing what they believed to be a convenience to the inhabitants, no competition should be permitted. Yet, although competition by a local authority was forbidden, the House is now asked to allow competition by another private company. The parish says, and with absolute truth, that sooner or later this electric service must be furnished by the municipality itself, and when the local authority does take it over, instead of having only one company to buy out there will, if this Bill is allowed to pass, be two companies to be bought up. No doubt competition is a very good thing in the right place, but if it means that there must, in consequence of it, be a large addition to the rates, then the ratepayers are certainly not prepared to accept a proposal entailing such a liability. People who live in adjoining parishes realise that this is the thin edge of the wedge, and that what is made to apply to Marylebone to-day will be applied to other vestries to-morrow. Only to-day the vestry to which I have the honour to belong passed a resolution urging that this Bill should be opposed in every possible way. The President of the Board of Trade, in a debate on an exactly similar question a short time ago, said the House should always support municipality. Well, I ask the House to take that course to-day. The President of the Local Government Board has also laid it down as a general principle that when a municipality and a private company were applying for the same thing the preference should be given to the municipality. Now, what is the position here? Marylebone has applied for and been refused permission to instal, but it intends to again come to the House for power to supply its own electric light, as well as to buy out the existing company. In the meantime you are asked by this Bill to allow a private company to come in and establish itself. I venture to suggest that if the right hon. Gentleman the President of the Local Government Board meant what he said the other day he will support the opposition to this Bill. Again, the right hon. Gentleman said——

*MR. SPEAKER: Order, order! The hon. and gallant Gentleman is not in order in discussing a speech made on a different occasion and on another subject, in the present session.

GENERAL LAURIE: I am sorry to have transgressed the rules of the House. I only desired to express my hope that the views uttered by the right hon. Gentleman not very long ago are still held by him. I would also like to point out that, after all, the person to be chiefly considered is not the municipal authority or the commercial company, but the consumer. If I understand aright, the consumer and the ratepayer are very nearly identical persons, and as a ratepayer I would point out that he, after all, is the proper person to deal with this subject, because he has, every now and then, the means of turning out his elected representatives on the local authority if they do not do their duty, whereas, if the lighting is in the hands of a private company he has no control whatever over the directors. The parish to which I belong is spending over £100,000 in laying new pavements, and what is our experience of private companies? We have asked a company which has legislative power to break up our streets to do what work they require before we repave them, and their reply has been that they intend to use their powers when they like. How much better would it be for work of this sort to be done by the municipality itself, instead of allowing a private company to do all

sort of mischief by breaking up the streets and destroying the value of work done with the ratepayers' money. I hope that the House will not accept this Bill, but will postpone consideration of it until such time as the borough councils themselves have been created, and the ratepayers are in a position to express their views upon the subject.

Amendment proposed—

"To leave out the word 'now,' and at the end of the Question to add the words 'upon this day three months.'"—(*Captain Norton.*)

Question proposed, "That the word 'now' stand part of the Question."

THE PRESIDENT OF THE BOARD OF TRADE (Mr. RITCHIE, Croydon): I will endeavour to put before the House the dry facts of the case, which lie to a great extent in a nutshell. This is a Bill which proposes to confirm a Provisional Order, and I only desire to say, in the first place, that in issuing these Orders the Board of Trade acts with a view to giving the House an opportunity of judging whether or not the Orders should be converted into law. The position in regard to this matter is this. The supply of electric light in Marylebone has been bad for some years past and has been greatly complained of. It therefore became necessary that something tangible should be done to remedy the existing state of things. Two years ago the Vestry of Marylebone applied to the Board of Trade for a Provisional Order to provide a supply in competition with the existing company. Having regard to the state of affairs we did not hesitate for a moment to grant it, but it gave rise to considerable discussion. It was contended that it would have been unfair to the existing company to put it in competition with a rate-aided authority. However, the House agreed to read the Bill a second time, although later on the Committee rejected it, mainly, I believe, on the ground that rate-aided competition would be unfair to the company. Subsequently an important deputation, including many of the leading inhabitants, waited on the Board of Trade complaining of the quality of the light. Eminent doctors declared that it was impossible to carry on operations in consequence of the bad light; shopkeepers also complained, and the conductors of places of worship declared that they could not carry on their devotions—they wanted more light. The deputation seemed to think that the Board of Trade had some means of putting these wrongs right, but, as a matter of fact, I had to explain that the Board of Trade was practically powerless, and that the only remedy for a grievance of this kind is to be found in competition. That is the real way in which existing evils, both in regard to price and quality, can be remedied. But the application of the vestry for a Provisional Order having been refused, is this House now to say that there shall be no remedy until some future time, when a new municipal authority has been created? The House must decide this question for itself. I have sympathy with the position of the vestry, but I must point out that, having already been refused power, they have not put in a fresh application. The hon. Gentleman says they have agreed with the existing company to purchase its undertaking, and that if it is carried out the vestry will then have the matter in its own hands. But I understand that that agreement requires ratification, and that it has not been definitely assented to by either side. If the House reads this Bill a second time I propose to move an Instruction to the Committee in order to safeguard the interests of the vestry in regard to any agreement which it may conclude. I shall propose that it be an Instruction to the Committee to consider the expediency of inserting a clause in the Order, providing that the Order shall not come into operation until a date to be decided by the Committee, and shall not then come into operation if the undertaking authorised by the Metropolitan Electric Supply Company (West London Order, 1899) shall have been purchased by the vestry of Marylebone or their successors. If the House passes the Second Reading, together with this Instruction, the Committee will then be able to consider the position of the vestry in regard to this agreement. I hope that, having regard to the undoubted fact that the supply of the electric light is defective, and that the vestry have been refused power to instal, the House will not relegate this matter again to the position in which it was six months ago, but that it will send the Bill to a Committee to consider all the questions raised by it.

MR. CRIPPS (Gloucestershire, Stroud) only wanted to say one or two words as to the proper principle of dealing with matters of this kind. He hoped that the House would not give a Second Reading to this Bill. The facts were very simple. They already had a company in possession of the parish, and they had a vestry or municipal authority desirous of taking the lighting of the district into its own hands. Between the company and the vestry there was a provisional agreement, and they might take it for granted that if this Bill were thrown out that agreement would be carried into effect. Was it right, then, to introduce another company which the vestry would eventually have to buy out? As they knew, he was an opponent of municipal trading, but this was not a question of municipal trading at all, for the House had long recognised the principle that, where a local authority asked for powers to buy out an existing company, in order that it might itself supply the light, such power ought to be granted it. He did not believe any case could be quoted where it had been refused. When the vestry asked for power to compete with the existing company a totally different set of conditions arose, and it was felt by the House that the company should not be subjected to a rate-aided competition. If this Bill were carried they would have two authorities interfering with the streets, which was an unmitigated nuisance, and when the time for purchase came they would have two companies to buy out instead of one.

MR. LYTTELTON (Warwick and Leamington) hoped that the House would give the Bill a Second Reading. Was it fair that, because a local authority had intimated that some time or other it would light its own district, private enterprise should be refused even a hearing before a Committee of that House? He regretted that, after the offer of the President of the Board of Trade to move an Instruction which would practically safeguard the interests of the local authority, the opposition to the Bill was being persisted in. The hon. and gallant Gentleman who moved its rejection had admitted that the promoters of this Bill were men of excellent position in the electric lighting world, and that they had an excellent record in London. It was admitted, too, that so far back as 1897 the vestry desired competition. So bad was the electric lighting that the vestry itself came to Parliament for a Provisional Order, but the House very properly declined to give a rate-aided authority power to compete with the Metropolitan Company. How had the situation changed? The opponents of this Bill said that it had changed because the vestry had entered into a provisional agreement to purchase the undertaking of the Metropolitan Company. He understands that that was not the fact. The vestry had never passed any such resolution at all. It was passed by a committee of the vestry against a powerful minority, and there were considerable obstacles to the carrying out of the agreement. In the first place the shareholders of the Metropolitan Company had to be asked for their consent. Next, Parliament had to approve the bargain, and finally the electors of the parish of Marylebone would have to ratify it, and he did not believe that that ratification was by any means assured, in view of the strong minority which opposed the passing of the resolution. He did not say it was not a *bonâ fide* agreement; it was a mere intention to agree, with many obstacles in the way. The shareholders of the Metropolitan Company had to be dealt with; the electors of the new borough council had to be converted, and so also had that body when elected. He did not say the vestry might not be so fortunate as to get Parliament to reverse its decision of 1898, and convert the electors in November next. The Amendment in effect said, "Notwithstanding all these obstacles in the way, you, the ratepayers and inhabitants of Marylebone, are to remain in a condition, as regards electric lighting, which everyone admits to be deplorable, or at any rate very undesirable." What did the proposal of the President of the Board of Trade amount to? That the State should guarantee the rights of the vestry if they were in earnest and successful in carrying out the bargain which they had made provisionally with the Metropolitan Electric Supply Company; and on the vestry being able to purchase the existing undertaking, the operation of this Bill should be postponed. What more reasonable, rational, and temperate proposal could be made? He submitted that the refusal of such an offer as that guaranteed by

the Instruction to the Committee, threw a very considerable light on the ability of the vestry to carry out their declared intentions.

Question put.

The House divided:—Ayes, 119; Noes, 147. (Division List No. 169.)

AYES.

Anstruther, H. T.
Archdale, Edward Mervyn
Arrol, Sir William
Ashton, Thomas Gair
Atherley-Jones, L.
Atkinson, Rt. Hon. John
Baird, John George Alexander
Baldwin, Alfred
Balfour, Rt Hn Gerald W (Leeds
Barry, Rt. Hn. A. H. S.-(Hunts.)
Bartley, George C. T.
Beach, Rt. Hn. Sir M. H. (Bristol
Blakiston-Houston, John
Bonsor, Henry Cosmo Orme
Boscawen, Arthur Griffith-
Bowles, T. Gibson (King's Lynn
Bullard, Sir Harry
Campbell, Rt Hn J. A. (Glasgow
Carson, Rt. Hn. Sir Edw. H.
Cavendish, V. C. W. (Derbyshire
Cecil, Evelyn (Hertford, East)
Cecil, Lord Hugh (Greenwich)
Cornwallis, Fiennes Stanley W.
Cross, Herb. Shepherd (Bolton)
Curzon, Viscount
Dalbiac, Colonel Philip Hugh
Dorington, Sir John Edward
Douglas, Rt. Hn. A. Akers-
Drage, Geoffrey
Dyke, Rt. Hn. Sir Wm. Hart
Elliot, Hn. A. Ralph Douglas
Fergusson, Rt. Hn. Sir J. (Man.
Field, Admiral (Eastbourne)
Finch, George H.
Finlay, Sir Robert Bannatyne
Firbank, Joseph Thomas
Fisher, William Hayes
Fitzgerald, Sir Robert Penrose.
Flannery, Sir Fortescue
Fry, Lewis
Giles, Charles Tyrrell
Goldsworthy, Major-General
Goulding, Edward Alfred
Graham, Henry Robert
Gull, Sir Cameron
Gunter, Colonel
Hamilton, Rt. Hn. Lord George
Hanbury, Rt. Hon. Robert Wm.
Hardy, Laurence
Healy, Timothy M. (N. Louth
Hornby, Sir William Henry
Houldsworth, Sir Wm. Henry
Howorth, Sir Henry Hoyle
Hozier, Hon. James Henry Cecil
Hudson, George Bickersteth
Hutton, John (Yorks. N.R.)
Jeffreys, Arthur Frederick
Johnston, William (Belfast)
Johnstone, Heywood (Sussex)
Kenyon-Slaney, Col. William
Kimber, Henry
Knowles, Lees
Lafone, Alfred
Lawson, John Grant (Yorks.)
Lockwood, Lt.-Col. A. R.
Loder, Gerald Walter Erskine
Long, Col. C. W. (Evesham)
Long, Rt. Hon. W. (Liverpool)
Lopes, Henry Yarde Buller
Lowther, Rt Hn J W (Cumb'land
Loyd, Archie Kirkman
Macaleese, Daniel
Macdona, John Cumming
Maclure, Sir John William
M'Iver, Sir Lewis (Edin. W.)
Marks, Henry Hananel
Mellor, Colonel (Lancashire)
Meysey-Thompson, Sir H. M.
Middlemore, John Throgmortn
Moon, Edward Robert Pacy
Moore, William (Antrim, N.)
More, Robt. J. (Shropshire)
Morton, A. H. A. (Deptford)
Mount, William George
Muntz, Philip A.
Murray, Rt. Hn. A. G. (Bute)
Myers, William Henry
Nicol, Donald Ninian
O'Neill, Hon. Robert Torrens
Penn, John
Percy, Earl
Phillpotts, Captain Arthur
Pierpoint, Robert
Purvis, Robert
Rankin, Sir James
Ritchie, Rt. Hn. Chas. Thomson
Rothschild, Hon. Lionel W.
Seely, Charles Hilton
Sharpe, William Edward T.
Shaw, Charles Ed. (Stafford.
Smith, James Parker (Lanarks.
Stanley, Sir H. M. (Lambeth)
Sullivan, Donal (Westmeath)
Thorburn, Sir Walter
Thornton, Percy M.
Tollemache, Henry James
Tomlinson, Wm. Edw. Murray
Usborne, Thomas
Walrond, Rt. Hon. Sir W. H.
Warr, Augustus Frederick
Welby, Lt.-Col. A. C. E (Taunt'n
Willoughby de Eresby, Lord
Willox, Sir J. Archibald
Wilson, J. W. (Worcester, N.)
Wodehouse, Rt. Hon. E. R. (Bth
Wolff, Gustav, Wilhelm
Wylie, Alexander
Wyvill, Marmaduke D'Arcy
Young, Commander (Berks, E.)

TELLERS FOR THE AYES—Mr. Lyttelton and Mr. Banbury.

NOES.

Abraham, W. (Cork, N.E.)
Allan, William (Gateshead)
Austin, M. (Limerick, W.)
Baker, Sir John
Bethell, Commander
Blake, Edward
Boulnois, Edmund
Bramsdon, Thomas Arthur
Broadhurst, Henry
Brodrick, Rt. Hon. St. John
Bryce, Rt. Hon. James
Buchanan, Thomas Ryburn
Burt, Thomas
Buxton, Sydney Charles
Caldwell, James
Campbell-Bannerman, Sir H.
Carew, James Laurence
Causton, Richard Knight
Cawley, Frederick
Chamberlain, J. Austen (Wor.)
Cohen, Benjamin Louis
Collings, Rt. Hon. Jesse
Colomb, Sir John Ch. Ready
Courtney, Rt. Hon. Leonard H.
Cripps, Charles Alfred
Crombie, John William
Daly, James
Davies, M. Vaughan-(Cardigan
Dillon, John
Donelan, Captain A.
Doogan, P. C.
Douglas, Chas. M. (Lanark)
Duckworth, James
Egerton, Hon. A. de Tatton
Emmott, Alfred
Engledew, Charles John
Evershed, Sydney
Farquharson, Dr. Robert
Fenwick, Charles
Field, William (Dublin)
Fitzmaurice, Lord Edmond
Flavin, Michael Joseph
Flower, Ernest
Flynn, James Christopher
Foster, Sir Walter (Derby Co
Fowler, Rt. Hon. Sir Henry
Galloway, William Johnson
Gold, Charles
Gourley, Sir Edw. Temperley
Gurdon, Sir William Brampton
Hanson, Sir Reginald
Harwood, George
Hatch, Ernest Fredk. George
Hayne, Rt. Hon. Chas. Seale-
Hazell, Walter
Hemphill, Rt. Hn. Charles H.
Holland, William Henry
Horniman, Frederick John
Howard, Joseph
Howell, William Tudor
Hutton, Alfred E. (Morley)
Jacoby, James Alfred
Johnson-Ferguson, Jabez E.
Jones, David Brynmor (Swans'a.
Jones, Wm. (Carnarvonshire)
Kinloch, Sir Jn. Geo. Smyth

Kitson, Sir James
Labouchere, Henry
Langley, Batty
Leese, Sir Joseph F. (Accrington
Leng, Sir John
Lewis, John Herbert
Lloyd-George, David
Lough, Thomas
Lucas-Shadwell, William
MacDonnell, Dr M. A. (Queen's C
Maclean, James Mackenzie
MacNeill, John Gordon Swift
M'Dermott, Patrick
M'Ghee, Richard
M'Kenna, Reginald
M'Killop, James
M'Laren, Charles Benjamin
Malcolm, Ian
Mappin, Sir Frederick Thorpe
Milbank, Sir Powlett C. J.
Monk, Charles James
Montagu, Sir S. (Whitechapel
Morgan, W. P. (Merthyr)
Murnaghan, George
Nussey, Thomas Willans
O'Brien, Jas. F. X. (Cork)
O'Brien, Patrick (Kilkenny)
O'Connor, T. P. (Liverpool)
O'Keeffe, Francis Arthur
O'Kelly, James
Parkes, Ebenezer
Pease, Herb. Pike (Darlington)
Pender, Sir James
Perks, Robert William
Pickersgill, Edward Hare
Platt-Higgins, Frederick
Powell, Sir Francis Sharp
Power, Patrick Joseph
Rasch, Major Frederic Carne
Reckitt, Harold James
Redmond, William (Clare)
Reid, Sir Robert Threshie
Richardson, J. (Durham, S.E.)
Roberts, John H. (Denbighs.)
Robertson, Edmund (Dundee)
Robinson, Brooke
Russell, T. W. (Tyrone)
Samuel, Hy. S. (Limehouse)
Samuel, J. (Stockton-on-Tees)
Scott, Chas. Prestwich (Leigh
Sinclair, Capt. J. (Forfarshire)
Smith, Abel H. (Christchurch)
Soames, Arthur Wellesley
Souttar, Robinson
Spencer, Ernest
Spicer, Albert
Stevenson, Francis S.
Strachey, Edward
Tennant, Harold John
Thomas, Alfred (Glamorgan, E.
Thomas, David A. (Merthyr)
Trevelyan, Charles Philips
Tritton, Charles Ernest
Wallace, Robert
Walton, John Lawson (Leeds, S.
Walton, Joseph (Barnsley)
Warner, Thomas Courtenay T.
Wason, Eugene
Wedderburn, Sir William
Whiteley, H. (Ashton-under-L.
Williams, John Carvell (Notts
Wills, Sir William Henry
Wilson, John (Durham, Mid)
Wilson, John (Govan)
Wilson-Todd, Wm. H. (Yorks.
Woodhouse, Sir J. T. (H'dde'sf'd
Woods, Samuel
Wortley, Rt. Hn. C. B. Stuart-
Wrightson, Thomas
Young, Samuel (Cavan, East)
Yoxall, James Henry

TELLERS FOR THE NOES—Captain Norton and General Laurie.

Words added.

Main Question, as amended, put, and agreed to.

Second Reading put off for three months.

GAS ORDER CONFIRMATION (No. 2) BILL [Lords]. (BY ORDER.)

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. DOOGAN (Tyrone, E.) moved that the Bill be read a second time this day three months. He said that if the Provisional Order was confirmed it would confer a monopoly on the Dungannon Gas Company, to the great loss of the people of that town. The local authority of Dungannon, up to the 1st April last, was a board of town commissioners constituted under an old Act, the 9th of George IV., whereby special privileges of rating were given to the occupiers of that town. The board of guardians was the sanitary authority, and the sanitary and water rates were paid half by the landlord and half by the tenant. If the town commissioners had before 1st April last obtained powers to provide a gas scheme, the incidence of rating would have been altered, and the payment of rates would have fallen altogether on the tenant, entailing a loss of £540 per annum, a loss which would have more than counterbalanced any gain to be derived from the possession of gas works. The passing of the Local Government (Ireland) Act of 1898 had, however, changed that position. It enabled the town commissioners to apply to the Local Government Board to be constituted an urban council and sanitary board with all the powers conferred upon them by the Local Government Act. The gas company, knowing that the Dungannon council would now enter into competition with them under the provisions of the Act of 1854 which they could do without any practical change in their rating system, determined to forestall the council, and prevent them exercising their new power, had applied for this Provisional Order, which if confirmed would give them the statutory right to break up the streets, and exclude the local authority from supplying gas in the interests of the ratepayers. During the whole of their existence the gas company never before applied for a Provisional Order, and never had the power to break up the streets, but this Bill, if passed, would give them that power, and also enable them to sell their undertaking to the people of Dungannon at an enormous profit. This was a Bill to create a monopoly in the hands of a private company which had been paying a dividend of 10 per cent. for sixteen years. They

had charged 5s. 10d. per 1,000 feet of gas, a price much higher than in any neighbouring town in the county of Tyrone. The price in Strabane is 4s. 2d.; in Omagh, 4s. 7d.; Corkstown, 4s. 7d; the price in Armagh is 3s. 4d., and in the adjoining county, Portadown, 3s. 9d. In no Ulster town is the price so high as it is in Dungannon. If the Bill passed there was no prospect of the gas company ever lessening the present price, and they would continue to make an enormous profit out of the people of Dungannon. The company started with a capital of £3,000—600 £5 shares. Afterwards the company made a call of £2 on their shareholders, which increased the capital to £4,200. So far as he could ascertain that was all the additional capital the shareholders had ever paid into the company. But the capital was nominally raised in 1880 to £6,000, on which constantly a dividend of 10 per cent. had been paid since for sixteen years. Another inflation of the capital had been made a short time before the company sought this Provisional Order. A new company was formed, and at one stroke the capital was raised from £6,000 to £9,000, without a penny being paid; but the new company was nothing but the old company, which merely raised their shares from £10 to £15, and had themselves registered a new company. The transaction was the very embodiment of simplicity in the art of flotation. This Confirmation Bill would enable the company to charge the ratepayers of Dungannon a price sufficiently high in order to pay 10 per cent. on their inflated capital. The present price of gas was so prohibitory that out of 1,040 householders in Dungannon only 245 made use of it, and that on such a small scale that the gas supply of the town was only sufficient to make darkness visible. The policy of the House had been to give the control of public utilities to the local authority. If this Bill be confirmed it would inflict a great injustice on the people of Dungannon; their streets would be broken up, their representatives would be precluded from supplying gas at a popular price, and allocating the profits to the reduction of Urban rates, and the gas company would make themselves both inconvenient and intolerable with the ultimate purpose of enormously enhancing the value of their undertaking and compelling the town to buy them out on their own terms. Hitherto the company had been mere trespassers on the streets, but this Bill would give them power of using the streets to put down mains and supply pipes, and to interfere with the sewers, the water supply, and the general efficient management of the streets. In fact, if the Town Council of Dungannon were to put a steam-roller on their own streets they would be liable for an action for damages if a leak were to occur in the company's pipes. He would give an illustration of how the company had used their powers as private monopolists. He was told on undoubted authority that about 1879 a gentleman bought a hundred £5 shares for £3 each. In 1880 these £5 shares were raised to £10, so that his capital of £300 was raised to £1,000, on which a dividend of £100 was paid; and if the Bill were passed that dividend would be raised in future to £150. Talk of Klondike. Why, it was not in it with this private company's gold mine in Dungannon. It was high time that the company should be checked in their career, instead of being confirmed by the House in their monopoly, which would enable them to break up the streets of Dungannon in despite of the unanimous opposition of the citizens and the local sanitary authority, in order to force upon them gas at a price so high that more than three-fourths of the householders at the present time refuse to use it. The local authority, in whose hands the lighting of the town should be placed, had no objection to buy the undertaking of the Gas Company at a fair price based on their true capital. But if the company obtained statutory powers they would be able, by making themselves unpalatable to the people, to force a sale on the basis of their nominal capital and at an exorbitant price. Having regard to all the circumstances in connection with this Bill, he appealed respectfully to the House to reject it, and he begged to move the motion standing in his name.

MR. WILLIAM JOHNSTON (Belfast, S.): It will be unnecessary for me to occupy the time of the House at any length in seconding the motion of the hon. Member. The hon. Member for East Tyrone alluded to that portion of the country in which Dungannon is situated, and naturally it falls to my hon. friend to make the motion concerning it. I am asked

by the Urban Council of Dungannon to identify myself with his opposition, and I am requested by the chairman of the urban council, who is also agent for Lord Ranfurly, Governor of New Zealand, and by the people of the neighbourhood to take a prominent part in laying before the House the opposition to this Bill. I do not wish to say a single word against the Board of Trade. The President of the Board of Trade has always shown himself most anxious and most earnest in developing the resources of the country. While not finding fault with the manner in which the Commissioner who was sent down in March conducted the inquiry, or with the report that he made, and while I do not wish in any way to reflect upon the general management of the Board of Trade, or the manner in which its representatives act on occasions of this sort, I wish to state that a remonstrance has been sent to the Board of Trade on the part of those who object to this Provisional Order. I regret that due effect was not given to that remonstrance, for if that had been done it would have prevented the expense that will be incurred by the urban council of Dungannon in opposing this Bill in Parliament. It is unnecessary that I should at any length follow the hon. Member in the statement he has made concerning the high price of gas under the management of the gas company, and the large dividend which is paid to the shareholders. I merely wish to say that the urban ratepayers are unanimous in asking the House to reject this Bill. If this Bill is passed the householders of Dungannon will suffer a great injustice, and the only remedy that will be left will be the adoption of the electric light. I ask the House to carefully consider that this is one of those opportunities given to local bodies of developing the resources of Ireland. If the House refuses to reject this Bill on this occasion it will be striking a blow at the local government of Ireland and stultifying a measure which caused them much effort and was successfully passed through the House last session.

Amendment proposed—

"To leave out the word 'now,' and at the end of the Question to add the words 'upon this day three months.' "—(*Mr. Doogan.*)

Question proposed, "That the word 'now' stand part of the Question."

Mr. William Johnston.

MR. MURNAGHAN (Tyrone, Mid): I wish to say two or three words on this subject. I have, like the hon. Member for South Belfast, been requested by the people of Dungannon to move in this matter and to oppose the Second Reading of the Bill. I do so as a Member from the County Tyrone and in compliance with the wishes of a great many of the inhabitants. It is quite true that the price of gas in Dungannon has been abnormal. In the county the price of gas is 1s. 3d. per 1,000 feet less than in the town of Dungannon. In the neighbouring towns it is still less. The methods by which the gas company has carried on business are certainly not such as to commend it to public favour. After what has occurred, I think we must ask the House to reject the Bill. We are now dealing with a little town in Ireland, and I ask the House to do for that town what it has done for great towns.

*THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr. T. W. RUSSELL, Tyrone, S.): Compared with the other lighting questions before the House to-day and yesterday, this is no doubt a very small matter, but it is rather an important matter for the town of Dungannon, part of which is in my constituency, and that is the reason why I speak on the subject. The first thing the House has to bear in mind is that, until the Local Government Act of 1898, the town commissioners of Dungannon were debarred from either acquiring or erecting gasworks. They had no power. They were absolutely precluded, and therefore this company is in existence and has grown up. This company, which has been in existence a great many years, has had a rather curious history. It has an entire paid up capital amounting to £4,200. Under the Order it is proposed to make this capital into a sum of £9,000. What has taken place is this. They have supplied gas to the town of Dungannon, and for the last thirty years the price of gas has varied from 7s. 6d. to 5s. 10d. per 1,000 cubic feet. They have paid dividends consistently of 10 per cent., and the profits, after payment of 10 per cent., have been used in extending the works. This inflated capital has been made through the consumers of gas in Dungannon being compelled by a monopoly to pay an exorbitant price.

That is the second thing the House ought to bear in mind. I wish to call the attention of my right hon. friend the President of the Board of Trade to this matter. The gentleman who held the inquiry was asked to go and inspect the works—this is really an important matter for the Board of Trade—and he declined to go. He stated that he had seen them from the railway as he passed. I rather think that on the question of inflated capital that is a fact which should be taken into account. The gentleman who inquired really did not inspect the works at all. Now the price of gas is 5s. 10d. per 1,000 feet. For fifteen or sixteen years it has been enormously in excess of the price charged by other companies in towns in the immediate neighbourhood. I think these are facts the House ought to take into account in dealing with the question, but when all is said and done this company is in possession. It has property which cannot be disposed of unless it is disposed of fairly and honestly. I have been appealed to by both parties. The chairman of the gas company is an old friend of my own—he formerly represented in this House the county a division of which I now represent—Mr. Thomas Dickson. Mr. Dickson, as representing the gas company, has given what I think is a perfectly fair proposal. This is a matter for purchase at a fair price. The town commissioners, now that they are entitled by law to purchase, have proposed to give the gas company £7,000 for the undertaking. Mr. Dickson has asked £9,000. He has, I think with perfect fairness, stated that the gas company is quite willing that £9,000 should be the maximum, and that the difference between £7,000 and £9,000 should be settled by the Government arbitrator. I recognise that as being a very fair offer. I have received a telegram stating that the Urban Council have agreed in principle to the purchase, and that the question now is one of price. I am going to make an appeal to my right hon. friend the President of the Board of Trade. I have been engaged for two days in opposing him, and I do not know that he will be in any very good humour for listening to any appeal I may make, but I am sure he will recognise the fairness of what I am going to ask. The question is merely one of terms, and the gas company have made an offer which cannot very well be resisted in principle by the Commissioners. What I ask is this: Do not pass this Bill to-day. By doing so you will give the gas company a statutory position which we ought not to confer while negotiations are going on. Will my right hon. friend agree to postpone this Bill for a fortnight? It has been through the House of Lords, so that it is perfectly safe. This can then be taken before an Unopposed Bill Committee, and all will end well. The local authority will get the gas company's undertaking, and the gas company will get a fair price for their undertaking. I hope my right hon. friend will make this concession, and although I have been opposing him yesterday and to-day, I trust he will heap coals of fire on my head by agreeing to my proposal.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. RITCHIE, Croydon): I can assure my hon. friend that I do not at all object to his opposition; I rather like it than otherwise. Of course, it must not be supposed that a Bill for confirming a Provisional Order is in any sense a matter promoted by the Government. It is merely an opportunity for the House to decide on the matter. My hon. friend asks for a postponement for a fortnight. Having regard to the circumstances and the facts he had brought before us, I do not think the House should resist that appeal.

MR. LOUGH (Islington, W.): It occurs to me that this is really not quite a satisfactory way of settling this matter. In fact, I question whether it is in order. We have had a debate on the matter, and surely we do not want on a future occasion to have that debate all over again. Now, with the facts fresh in our minds, the question might be decided. Dungannon has been very badly treated by this company; there is no law for its protection at all, there is no sliding scale; and I think the House is well advised as to what should be done under the circumstances. Having heard the facts and listened to the debate, I think we ought to decide this simple question, and if my hon. friend goes to a division I shall certainly support him.

MR. CALDWELL (Lanarkshire, Mid): In order to bring the matter to a point, I will move that the debate be now adjourned.

Motion made, and Question proposed, "That the debate be now adjourned."—(*Mr. Caldwell.*)

MR. DILLON (Mayo, E.): I am sorry this motion has been moved before I had an opportunity of speaking with reference to the proposal made by the hon. Member for South Tyrone, but I will endeavour to keep what I desired to say in order on the motion for adjournment. I have no objection to the proposal of the hon. Member for South Tyrone, although I do not think any legitimate ground was shown for keeping this Bill hanging *in terrorem* over the town commissioners of Dungannon. Still, I shall not oppose his suggestion, as it would not be a prudent thing to do under the circumstances. The hon. Member tells us that the gas company and the commissioners have come to an agreement in principle, but there is a great difference between coming to an agreement in principle and coming to an agreement as to figures. As I understand, the town commissioners are willing to pay £7,000, or nearly double the amount of capital ever subscribed to the undertaking. The chairman of the gas company wants £9,000, and in order to put pressure on the town commissioners of Dungannon to increase their offer it is proposed to keep this Bill hanging *in terrorem* over the commissioners, instead of doing as the House should do—reject the Bill. The hon. Member, having made a powerful attack on the gas company, suggests an adjournment in order to allow the gas company and the town commissioners to come to terms. I recognise that, without having specific instructions from the town commissioners of Dungannon, it would be taking a very serious responsibility to divide in face of that offer, and with the Bill accepted by the President of the Board of Trade. I am not prepared to take the responsibility, but I am entitled to demand, on behalf of the citizens of Dungannon, that if this compromise is agreed to the Government or the President of the Board of Trade shall give us a pledge that the Bill will be finally dealt with not later than this day fortnight. That is a matter of very great importance, as having once been withdrawn from the power of the House it may be pushed off until the end of the session, when the Irish Members may have dispersed, and then be passed. That would be a monstrous injustice, and we ought to have a definite understanding that the Bill should be placed on the Paper not later than this day fortnight.

MR. RITCHIE: I think the House would not be justified in keeping this Bill hanging indefinitely in its present condition, and I am clearly of opinion that the House ought to decide upon the issue not later than this day fortnight.

MR. DOOGAN: I might point out that the £9,000 asked by the gas company for their undertaking is exclusive of £1,739 balance of revenue, and also of the amount of coal in stock. These items if included would bring the price demanded up to between £11,000 and £12,000. I mention this as it may cause a disagreement in the arbitration. On behalf of the Urban Council, I accede to the adjournment.

MR. WILLIAM JOHNSTON: Having seconded the motion of the hon. Member, I rise to thank the right hon. Gentleman for his very considerate reply, and to say I have no objection to the adjournment.

MR. FIELD (Dublin, St. Patrick): May I ask the right hon. Gentleman whether it is the understanding that this question should be taken about the same date as the Irish Estimates?

MR. RITCHIE: That, of course depends on when the Irish Estimates are taken.

MR. FIELD: That is what we want to know, as then the Irish Members will be here.

Question put, and agreed to.

Debate to be resumed upon Tuesday, 17th July.

PRIVATE BILLS [Lords] (STANDING ORDERS NOT PREVIOUSLY INQUIRED INTO COMPLIED WITH).

Mr. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bills, originating in the Lords, and referred on the First Reading thereof, the Standing Orders not previously inquired into, and which are

applicable thereto, have been complied with, viz. :—

Hammond (G. H.) Company Bill [Lords].

London and San Francisco Bank Bill [Lords].

Ordered, That the Bills be read a second time.

PRIVATE BILLS [Lords] (STANDING ORDERS NOT PREVIOUSLY INQUIRED INTO NOT COMPLIED WITH).

Mr. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bill, originating in the Lords, and referred on the First Reading thereof, the Standing Orders not previously inquired into, and which are applicable thereto, have not been complied with, viz. :—

Caledonian Railway Bill [Lords].

Ordered, That the Report be referred to the Select Committee on Standing Orders.

HAMILTON BURGH BILL.

Lords Amendments considered, and agreed to.

WIRRAL RAILWAY BILL [Lords].

Read the third time, and passed, with Amendments.

CROYDON TRAMWAYS AND IMPROVEMENTS BILL.

As amended, considered.

Ordered, That Standing Orders 223 and 243 be suspended, and that the Bill be now read the third time.—(*Mr. Caldwell.*)

Bill accordingly read third time, and passed.

EAST STIRLINGSHIRE WATER BILL [Lords].

As amended, considered ; Amendments made ; Bill to be read the third time.

MUIRKIRK, MAUCHLINE, AND DALMELLINGTON RAILWAYS (ABANDONMENT) BILL [Lords].

Read a second time, and committed.

MOTHERWELL AND BELLSHILL RAILWAY BILL [Lords].

Ordered, That the Minutes of Evidence taken before the Committee on the Motherwell and Bellshill Railway Bill [Lords], of the present session, be referred to the Committee on Group No. 8 of Railway Bills.—(*Mr. Caldwell.*)

LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDER (No. 2) BILL.

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 2) BILL.

Lords Amendments considered, and agreed to.

LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDERS (HOUSING OF WORKING CLASSES) (No. 2) BILL.

LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDERS (No. 3) BILL.

LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDERS (No. 4) BILL.

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 15) BILL.

Read the third time, and passed.

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 10) BILL.

TRAMWAYS PROVISIONAL ORDERS (No. 5) BILL.

As amended, considered ; to be read the third time To-morrow.

ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 6) BILL [Lords].

ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 8) BILL [Lords].

GAS ORDERS CONFIRMATION (No. 1) BILL [Lords].

LONDON (ST. MARYLEBONE) PROVISIONAL ORDER BILL.

Read a second time, and committed.

RAILWAY BILLS (GROUP 8).

Mr. JAMES WILLIAM LOWTHER informed the House that, the Committee on Group 8 of Railway Bills not being appointed to meet until Thursday next, the parties promoting the Motherwell and Bellshill Railway Bill [Lords], which was set down for consideration upon the first day of the meeting of the Committee, had appeared before him and proved that the evidence of John Marshall, boilermaker, Motherwell, and of David Henderson Macdonald, bridge-builder, Motherwell, was essential to their case, and that their attendance could not be procured without the intervention of the House.

Ordered, That the said John Marshall and David Henderson Macdonald do attend the Committee on Group 8 of Railway Bills on Thursday next, at half-past Eleven of the clock.—(*Mr. James William Lowther.*)

STANDING ORDERS.

Resolutions reported from the Committee :—

1. "That, in the case of the Salford Corporation Bill [Lords], the Standing Orders ought to be dispensed with—That the parties be permitted to proceed with their Bill."

2. "That, in the case of the North British Railway Bill [Lords], the Standing Orders ought to be dispensed with—That the parties be permitted to proceed with their Bill."

Resolutions agreed to.

SALFORD CORPORATION BILL [Lords].

Report [this day] from the Select Committee on Standing Orders read.

Ordered, That the Bill be read a second time.—(*Mr. Caldwell.*)

NORTH BRITISH RAILWAY BILL [Lords].

Report [this day] from the Select Committee on Standing Orders read.

Ordered, That the Bill be read a second time.—(*Mr. Caldwell.*)

TYNESIDE ELECTRIC POWER BILL.

Reported from the Select Committee on Electric Power Bills [Preamble not proved]; Report to lie upon the Table.

ROTHERHAM CORPORATION BILL [Lords].

Reported, with Amendment; Report to lie upon the Table, and to be printed.

MESSAGE FROM THE LORDS.

That they have agreed to—Bedford Gas Bill, without amendment.

That they have agreed to—Vale of Rheidol Light Railway Bill, with an Amendment.

That they have agreed to—Woodbridge District Water Bill, Hartlepool Gas and Water Bill, City of London Electric Lighting Bill, and Lancashire and Yorkshire Railway Bill, with Amendments.

That they have agreed to Amendment to—Gas and Water Orders Confirmation Bill [Lords], without amendment.

That they have passed a Bill intituled, "An Act to extend the borrowing powers of the Mayor, Aldermen, and Burgesses of the borough of Morley, and to make further provision in regard to their water and electrical undertakings, and for the improvement and good government of the said borough; and for other purposes." Morley Corporation Bill [Lords].

MORLEY CORPORATION BILL [Lords].

Read the first time; and referred to the Examiners of Petitions for Private Bills.

KILRUSH HARBOUR (PROPOSED PROVISIONAL ORDER).

Copy ordered, "of the Report made to the Board of Trade on the subject of an inquiry held by the Board of Trade at the Court House, Kilrush, on the 27th day of April, 1900, relative to a Provisional Order applied for by Mr. Vandaleur on the subject of Kilrush Pier, which Provisional Order has been refused."—(*Major Jameson.*)

PETITIONS.

LAND VALUES TAXATION (SCOTLAND) BILL.

Petition from Bonhill, in favour; to lie upon the Table.

SALE OF INTOXICATING LIQUORS ON SUNDAY BILL.

Petitions in favour, from Poynings; Fulking; Norwich (five); Old Lakenham; Ilford; Farnworth; and Portsmouth; to lie upon the Table.

SALE OF INTOXICATING LIQUORS TO CHILDREN (No. 2) BILL.

Petition from Glasgow, against; to lie upon the Table.

Petitions in favour, from Lydford; Brandon Colliery; Battle; Sherburn Hill; Browney; Middleton; Walsden; Dundee; Uttoxeter (two); Hunslet; West Bromwich; Bideford; Orpington; Norwich (four); Blackhill (two); Bethnal Green; Burton-on-Trent Hythe; Nottingham; Bournemouth (two); Farnworth (four); Morecambe; Mountain

Ash; Christchurch (seven); Croydon; and Cheriton; to lie upon the Table.

SALE OF INTOXICATING LIQUORS TO CHILDREN (SCOTLAND) BILL.

Petitions in favour, from Benholm; and Roxburgh; to lie upon the Table.

SUNDAY CLOSING (MONMOUTHSHIRE) BILL.

Petitions in favour, from Rugeley; Walsden; Sherburn Hill; Bethnal Green; Holsworthy; Tavistock; Caledonian Road; Bulkworthy; Nottingham; Norwich (four); West Bromwich (two); Ryhope; Bradford; Farnworth (two); Croydon; Portsmouth; Mountain Ash; and Morecambe; to lie upon the Table.

RETURNS, REPORTS, ETC.

CELTIC ORNAMENTS FOUND IN IRELAND.

Copy presented, of Summary prepared by Treasury of Facts and Correspondence with respect to certain Celtic Ornaments [by Command]; to lie upon the Table.

APPOINTMENTS OPEN TO RETIRED SOLDIERS.

Return presented, relative thereto [ordered 16th June, 1899; *Colonel Long*]; to lie upon the Table, and to be printed. [No. 249.]

HIGH COURT OF JUSTICE (CLERKS).

Return presented, relative thereto [ordered 24th May; *Admiral Field*]; to lie upon the Table.

TRADE REPORTS (ANNUAL SERIES).

Copies presented, of Diplomatic and Consular Reports, Annual Series, Nos. 2468 to 2470 [by Command]; to lie upon the Table.

TRAMWAYS (STREET AND ROAD).

Return ordered, "of Street and Road Tramways authorised by Parliament, showing the amount of Capital authorised, paid up, and expended; the length of Tramway authorised, and the length open for the public conveyance of passengers down to the 30th day of June, 1900; the gross Receipts, working Expenditure, and net Receipts; the number of passengers conveyed and the number of miles run by Cars during the year ended the 30th day of June, 1900; together with the number of Horses, Engines, and Cars at that date (in continuation of Parliamentary Paper, No. 327, of Session 1899)."—(*Mr. Ritchie.*)

QUESTIONS.

CHINA—ANTI-FOREIGN OUTBREAK—RECENT NEWS.

SIR H. CAMPBELL-BANNERMAN (Stirling Burghs): Has the right hon. Gentleman the representative of the Foreign Office any information to give the House regarding China?

*THE UNDER SECRETARY FOR FOREIGN AFFAIRS (Mr. BRODRICK, Surrey, Guildford): The news received from various sources makes it clear that a large number of foreigners and missionaries of various denominations had taken refuge in the British Legation, which is besieged, and that the postion in Peking is very grave—but we have no direct intelligence from Peking itself. A telegram has reached us from the Consul at Tientsin, dated 28th June, stating that the three arsenals known as the Eastern Arsenal, the Haikuan Ssu, and the Si-ku or Wu-ku Arsenal have been burned by the allied forces, with immense stores of powder and ammunition.

COMMAND OF THE ALLIED FORCES.

SIR J. COLOMB (Great Yarmouth): On behalf of the hon. Member for the Ecclesall Division of Sheffield, I beg to ask the Under Secretary of State for War whether General Sir A. Gaselee is now on the way from India to China with the Indian contingent; and whether General Gaselee will command the allied forces on land in China.

*THE UNDER SECRETARY OF STATE FOR WAR (Mr. WYNDHAM, Dover): My answer to the first question is in the affirmative. In regard to the second, I cannot yet say what arrangements will be made as to the command and distribution of the allied forces.

SUGGESTED MOVEMENT OF TROOPS FROM SOUTH AFRICA TO CHINA.

MR. SWIFT MACNEILL (Donegal, S.): I beg to ask the Under Secretary of

State for War if he will say on what ground Lord Roberts has declined the application made to him by the Government to detach a portion of the army now serving in South Africa for China, having regard to the fact that upwards of 250,000 men are at present under the command of Lord Roberts in a country where it has been authoritatively stated that the war is practically at an end.

*MR. WYNDHAM: The Secretary of State for War is not at present prepared to give any information as to the subject of the hon. Member's question.

MR. SWIFT MACNEILL: When will he be in a state of preparation?

[No answer was given.]

SOUTH AFRICAN WAR—SIR GEORGE WHITE'S LADYSMITH DESPATCHES.

CAPTAIN NORTON (Newington, W.): I beg to ask the Under Secretary of State for War whether the time has now come when Sir George White's Ladysmith despatches can be published.

*MR. WYNDHAM: I have repeatedly explained to the House that the publication of despatches rests entirely with the Secretary of State for War, and that I am not prepared to prejudice the exercise of his discretion by way of question and answer.

SIR HENRY FOWLER (Wolverhampton, E.): Are we to understand from the hon. Gentleman's answer that the House of Commons is refused this information?

*MR. WYNDHAM: I do not think that question arises out of my answer. The selection of the time of publication must rest with the Secretary of State.

SIR HENRY FOWLER: I will call attention to this on the Army Estimates.

THE LATE GENERAL WAUCHOPE.

MR. SWIFT MACNEILL: I beg to ask the First Lord of the Treasury whether he is aware that Landrost Baumann, of Hoopstad, has in his keeping the rifle, revolver, and other arms the late General Wauchope had with him when he fell at Magersfontein, and also some small trinkets belonging to the general, and has authorised Mr. Michael Davitt to state that he would hold these articles in safe keeping till some opportunity presents itself of forwarding them to the family of General Wauchope; and whether the Government, having regard to the offer of Mr. Baumann, will take any steps to provide for the immediate forwarding of these relics of General Wauchope to his relatives.

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): I understand that no official information has been received here referring to the hon. Member's question; but Lord Roberts has been requested by telegraph to make inquiries, and, if possible, to send home the articles mentioned.

ENTERIC FEVER—STATISTICS.

SIR WALTER FOSTER (Derbyshire, Ilkeston): I beg to ask the Under Secretary of State for War whether he can state the number of cases of enteric fever admitted into hospitals at Bloemfontein during each of the eight weeks ending 12th May, and the number of men dying in those hospitals from this disease during the same period; and whether he can state the number of cases of simple continued fever admitted into hospitals in Natal, hospitals in Cape Colony, and hospitals north of the Orange River, respectively, with the number of deaths which occurred among these patients, whether subsequently transferred to the heading of enteric fever or not.

*MR. WYNDHAM: The hon. Member has given very short notice of a question involving so much statistical research, but I will do my best to satisfy him with my answer. The number of admittances for enteric fever into hospitals at Bloemfontein and of deaths from the same cause in the eight weeks ended on 11th May—the week, for the purpose of these returns, ending on Friday—were:—23rd March: admitted, 88; died, 5. 30th March: admitted, 160; died, 9. 6th April: admitted, 166; died, 21. 13th April: admitted, 377; died, 34. 20th April: admitted, 263; died, 44. 27th April: admitted, 224; died, 54. 4th May: admitted, 226; died, 54. 11th May: admitted, 583; died, 65; making totals of 2,087 admissions and 286 deaths. That give a percentage of 13·7. The second question scarcely admits of an answer. I can only give the total admissions for simple continued fever, which were 5,860 and deaths only one. But I think the hon. Member will see that if a case was

subsequently diagnosed as enteric fever the death would be set down as from enteric fever and not as from simple continued fever.

MR. SWIFT MACNEILL: Can the hon. Gentleman say how many of the admissions and deaths were of non-commissioned officers, and how many of men?

*MR. WYNDHAM: I have the numbers of commissioned and non-commissioned officers and men in parallel columns, but it would be confusing to simply read them to the House.

ENTERIC FEVER—THE SERUM TEST.

DR. FARQUHARSON (Aberdeenshire, W.): I beg to ask the Under Secretary of State for War whether he will state what steps were taken by the War Office to provide means for the application of the serum test (Widal's method) to the diagnosis of doubtful cases of enteric fever in general hospitals in South Africa; whether he is aware that this means of making an early diagnosis is largely used by hospitals and local sanitary authorities; and whether he will take immediate steps to provide every general hospital in South Africa with the skilled assistance and simple appliances necessary in those cases in which such provision has not yet been made.

*MR. WYNDHAM: No special steps have been taken beyond the general training of medical officers in this method of diagnosis. The test is being applied in South Africa, and Army medical officers are quite capable of carrying it out.

PRIVATE SOLDIERS—MESSING AND RATION ALLOWANCES.

MR. ELLIOT (Durham): I beg to ask the Under Secretary of State for War, seeing that private soldiers on active service are entitled to 6d. per diem in addition to free rations, whether he will explain why, when payment is asked for by soldiers in South Africa, they have been told that payment will not be made till the end of the war.

*MR. WYNDHAM: The hon. Member has been misinformed. Soldiers on active service get free rations, including vegetables and groceries when possible, and they also get the 3d. messing allowance, but not the 6d. ration allowance. The ration allowance, however, is due to a soldier for any day on which he did not draw a ration, and the money is paid to him weekly if he desires. On a campaign, however, occasions may, of course, arise which preclude the possibility of such payment for a time.

CENSORSHIP REGULATIONS.

MR. JOHN ELLIS (Nottinghamshire, Rushcliffe): I beg to ask the Under Secretary of State for War whether his attention has been drawn to certain Minutes published in the *Natal Witness*, which have passed between the Prime Minister of Natal, the Governor, General Murray, and Sir Redvers Buller respecting the detention, opening, and suppression of letters and documents passing through the Post Office by the Censorship Department, and especially to the observation of the Prime Minister of Natal that the opening of private letters had been indiscriminate and unnecessarily rigorous and inquisitorial; whether he is aware that the Governor expressed by Minute agreement with his Ministers; whether, inasmuch as the matter has thus become public in Natal, these and any other Minutes on the subject which have passed between the Prime Minister and Governor of Natal and the generals referred to will be laid upon the Table of the House; and whether he will lay upon the Table any documents which have been issued by the Government, or those responsible in South Africa, prescribing or dealing in any way with the manner in which the censorship of telegrams or letters should be carried out in South Africa or elsewhere.

*MR. WYNDHAM: The Secretary of State has no objection whatever to the publication in this country of the documents which have been published in Natal. I do not know whether the hon. Member has seen the correspondence.

MR. JOHN ELLIS: Yes, I have it. Will the hon. Gentleman answer the last paragraph of my question?

*MR. WYNDHAM: That should be addressed to the Foreign Office, as the general question of censorship is a much larger one, and refers to more than one Department.

MR. JOHN ELLIS: I will put a question to the First Lord of the Treasury.

TREATMENT OF DISCHARGED SOLDIERS—CASE OF PRIVATE WEIR.

MR. SWIFT MACNEILL: I wish to ask the Under Secretary for War a question of which I have given him private notice—namely, what explanation has the War Office to give for the removal from Netley Hospital of Private Robert Weir, of the 27th Inniskilling Fusiliers, who had served with his regiment all through the Natal campaign, and was sent home in an enfeebled state of body and mind, and of the deportation of this soldier, who is without a pension and has received no gratuity, to the workhouse at Enniskillen, where he is at present a pauper inmate.

*MR. WYNDHAM: I have received no notice, and it is obvious I could not have answered such a question under forty-eight hours notice.

MR. SWIFT MACNEILL: I sent it to the War Office, and had a letter from the hon. Gentleman's private secretary.

*MR. SPEAKER: The hon. Member must give longer notice.

ARTILLERY ESTABLISHMENT—REDUCTION IN 1892-95.

*MR. M'KENNA (Monmouthshire, N.): I beg to ask the Under Secretary of State for War whether there was any reduction in the strength of artillery or diminution in the store of ammunition during the three years from July, 1892, to June, 1895.

*MR. WYNDHAM: This question does not admit of a single reply. The changes made in the artillery of the last ten or twenty years embrace changes not only in the number of units but in the number also of men and guns. The hon. Member had much better ask for a Return, which I shall be quite prepared to grant.

*MR. M'KENNA: My question is clear—whether there was any reduction in the strength of artillery or diminution of stores in a specified period.

*MR. WYNDHAM: I quite see the object of the question. We all recollect there was a diminution of stores. But I put that on one side. What does the hon. Member mean by the rest of his question; does he mean a reduction of batteries, of guns, or of men? He will get the information much more clearly if he will allow me to give it by way of Return.

*MR. M'KENNA: What was the information given to the Colonial Secretary, on which he based some recent observations?

*MR. SPEAKER: Order, order!

ARMY PENSION REGULATIONS.

SIR JOHN KENNAWAY (Devonshire, Honiton): I beg to ask the Under Secretary of State for War whether a soldier incapacitated from all employment by illness contracted while on duty in camp in England and discharged as unfit for further service is entitled to a pension as if he had been on foreign service; and, if so, to whom should application be made.

*MR. WYNDHAM: The conditions are not quite the same, but application should be made to the same authorities, namely, the Commissioners of Chelsea Hospital.

LICHFIELD RIFLE RANGE.

MR. WARNER (Staffordshire, Lichfield): I beg to ask the Under Secretary of State for War if he can state what progress is being made towards the construction of the contemplated rifle range near Withington Barracks, Lichfield; and if anything has been done in the matter in the last two months.

*MR. WYNDHAM: Since the passing of the Act confirming the Provisional Order for the acquisition of the land required for this range, the notices to treat have been served on the various owners concerned, and we are now awaiting their claims, when endeavours will be made to arrange terms by negotiation, but where this is not possible recourse to arbitration will be necessary. The construction of the range cannot be commenced until possession of the land has been obtained.

VOLUNTEER MOUNTED INFANTRY GRANT.

MR. LUCAS-SHADWELL (Hastings): I beg to ask the Under Secretary of State for War what grant the Government pro-

poses to make towards the expenses of Volunteer mounted infantry beyond the ordinary grant to Volunteers.

*MR. WYNDHAM: It has been decided to grant for this year an initial equipment allowance of £10 10s., an efficiency grant of £4, in addition to the ordinary capitation grant to provide for maintenance of equipment and hire of horses, and a special grant of 12s. for each day a Volunteer earns camp allowance, to cover the cost of providing and maintaining a horse in camp, and a travelling allowance of 3d. a mile to cover conveyance of horses to and from camp.

MR. LUCAS-SHADWELL: Does this arrangement apply to this year only, or is it permanent?

*MR. WYNDHAM: This year only. We are not prepared to deal with questions of permanent policy at this moment.

SHORNCLIFFE CAMP — HOSPITAL ARRANGEMENTS—DEATH OF SERGEANT WILMSHURST.

CAPTAIN NORTON: I beg to ask the Under Secretary of State for War if he is aware that at an inquest held on Saturday last at Shorncliffe Camp, on Sergeant Wilmshurst, of the Sussex Regiment, it was shown in evidence that there was not a single orderly of the Army Medical Corps in the hospital, and that Wilmshurst, when taken to the hospital in a fit, died before a doctor could be found; and in view of the comments made by the jury at the inquest, whether he can say what steps, if any, are now being taken to secure without delay an adequate staff for our military hospitals both at home and abroad.

*MR. WYNDHAM: No information has been received in the War Office of this incident, but inquiry will be made. the staff of the hospital consists of a sergeant-major, a sergeant, two corporals, and fourteen orderlies of the Army Medical Corps, besides regimental soldiers. The hon. Member will see that I have to make further inquiry in order to give an exhaustive answer to this question. I put it to him and to other Members that when a question comes before me for the first time at ten or eleven o'clock in the morning at the War Office, it is impossible to deal with it satisfactorily before the House sits. I trust that more consideration will in future be shown to an already over-burdened Department.

CAPTAIN NORTON: I will renew the question a few days hence.

ROYAL RESERVE REGIMENT OF HUSSARS.

MAJOR RASCH (Essex, S.E.): I beg to ask the Financial Secretary to the War Office whether he is aware that the Royal Reserve Regiment of Hussars. now quartered at Hounslow, has been embodied for seven weeks, and had up to last week received no grooming kit and only sixteen saddles, so that the regiment is compelled to drag their horses round the barrack square with ropes and chains; and when the Department propose to make this cavalry corps efficient.

*MR. WYNDHAM: The requisitions for the saddlery and grooming kits were not received at Woolwich until the 20th June, the whole supply was despatched on or before the 28th June.

MILITIA EXAMINATIONS.

MR. SWIFT MACNEILL: I beg to ask the Under Secretary of State for War whether, seeing that till last autumn the militia competitive examination consisted of Military law, tactics, fortification, and military topography, he will explain why the subjects of military law and tactics have been excluded from the course, and military history, consisting of the first 130 pages of Hamley's "Operations of War," dealing with the strategic movements in the Napoleonic Wars, substituted since the South African War, such being a study of a system of military operations rendered obsolete by smokeless powder and the improvements in modern firearms.

*MR. WYNDHAM: The changes were made because it was thought better to have one instead of two examinations. But care was taken not to prejudice the chances of candidates who had passed the first examination under the old system.

MAJOR RASCH: I beg to ask the Under Secretary of State for War whether he is now in a position to state whether Militia candidates doing duty with their embodied battalions will be forced to pass

a competitive examination in September; and, if so, in what subjects they will be examined.

*MR. WYNDHAM: The subjects for the revised Militia examination were published in August, 1899. As I have stated in reply to a previous question, arrangements have been made to prevent hardship to those who have already passed the first examination under the old system. These arrangements would have been in force in March if an examination had been held; and they will be in force in September. I may point out the necessity for a competition examination depends on whether or not there are more vacancies than candidates.

MR. SWIFT MACNEILL: Will there be a competitive examination in September?

*MR. WYNDHAM: I think almost certainly, but it depends whether the number of candidates exceeds the number of vacancies. If a greater number of gentlemen wish to enter the Army than there are vacancies for, then they must compete between themselves for the vacancies.

GENERAL LAURIE (Pembroke and Haverfordwest): Will the officers now serving at the front be required to go through the same literary competitive examinations as those in garrisons? If so, it will be extremely hard.

*Mr. WYNDHAM: It is difficult to deal with this matter in answer to questions. Care has been taken to make the examinations as equal as possible. It is impossible for the officers at the front to compete next September, and therefore a portion of places will be set apart and will be filled up on the nomination of Lord Roberts. As to officers of Militia at home or on the Mediterranean stations a difficulty arises, because commanding officers have been able to give leave to some, but have had to refuse it to others. We hope, however, to meet their case by granting a proportion of marks for every day of duty done, and every day on board ship, which will equalise conditions as far as possible.

MR. BOSCAWEN (Kent, Tunbridge): Arising out of this answer may I ask whether in the case of Militia abroad, but not in South Africa, the examination of candidates will be held in England or at their respective stations?

*MR. WYNDHAM: The examination in these cases will be held at the respective stations for those candidates who are at their stations, and an allowance of marks will be made for every day of duty done and for every day on board ship.

BELLEVILLE BOILERS—ROYALTIES AND FEES.

MR. PENN (Lewisham): I beg to ask the First Lord of the Admiralty whether in new designs for, or on points of detail in, the construction of Belleville boilers the Belleville Company is consulted; and, if so, what fee is paid, and what is the total sum so paid since the adoption of the boiler, over and above anything paid as royalty, and what is the total amount paid, and to be paid, as royalty.

THE FIRST LORD OF THE ADMIRALTY (Mr. GOSCHEN, St. George's, Hanover Square): The reply to the first part of the hon. Member's question is in the affirmative. The fee for this consultation is included in the royalty. The only extra payment to the Belleville Company beyond the royalty is for drawings which they supply. The actual amount paid up to date for royalty is £116,192, and for drawings £644, in respect of fifty-four ships. The approximate amount remaining to be paid for royalty in respect of forty-eight ships is £49,231.

WATER-TUBE BOILERS.

MR. EDMUND ROBERTSON (Dundee): I beg to ask the First Lord of the Admiralty whether, having regard to the technical character of the controversy as to the use of water-tube boilers on Her Majesty's ships, he could, for the convenience of the House, lay on the Table a Memorandum on the subject a few days before the discussion on Vote 8 of the Navy Estimates is taken.

MR. GOSCHEN: I will see what materials for the discussion on water-tube boilers I can place before the House before the Vote is taken, but my own review of the case, which I am anxious to make as little technical as the case admits, I propose to embody in the statement which I shall make to the House.

AUSTRALIA AND IMPERIAL DEFENCE —AUSTRALIAN HELP IN THE CHINESE DIFFICULTY.

MR. EDMUND ROBERTSON: I beg to ask the First Lord of the Admiralty when he will be in a position to make his promised statement respecting the new arrangements to be made on the termination of the Australian agreement sanctioned by the Imperial Defence Act, 1888.

MR. GOSCHEN: I do not remember giving the undertaking to which the hon. Gentleman refers, but matters will remain as they are until the central government in Australia is formed under the Commonwealth Bill, when, of course, any negotiation would be easier. I may mention that, there being among our ships on the Australian station several suitable for work in Chinese waters, the Secretary of State telegraphed for the consent of the Australian colonies to their temporary withdrawal, which consent is necessary under the Imperial Defence Act. This consent was given in twenty-four hours, and in the most cordial manner.

*SIR J. COLOMB: May I ask if the cost of these ships sent from Australia to China is defrayed by the United Kingdom?

MR. GOSCHEN: I think the Australian colonies are far more bent on helping us in China than on any financial question.

REORGANISATION OF THE MILITARY FORCES OF THE EMPIRE.

MR. DRAGE (Derby): I beg to ask the First Lord of the Treasury whether any attempt has been made to ascertain the views of the Colonial and Indian Governments on the reorganisation of the military forces of the Empire; and whether the Government will consider the desirability of adding to the Committee of the Council of Defence representatives of the great self-governing colonies and of India.

MR. A. J. BALFOUR: I understand that opportunity has been taken to consult the authorities on the question referred to by my hon. friend. The Committee referred to in the question is a Committee of the Cabinet, and the Government, therefore, cannot add to it in the manner suggested.

SIRDAR BHAI SHAMSHERE SINGH.

MR. KIMBER (Wandsworth): I beg to ask the Secretary of State for India whether he is aware of the arrangements made for the education, during his minority, of Sirdar Bhai Shamshere Singh, the present chief of Arnowli and head of the Bhaikean family in the Punjab; and whether he will ascertain if there is any reason why the Sirdar should not be allowed a tutor competent to educate him in English, and in a manner becoming the position he is likely to hold on his coming of age.

THE SECRETARY OF STATE FOR INDIA (Lord G. HAMILTON, Middlesex, Ealing): This chief is at present only nine years old, and his brother six years old. The estate to which he is heir has only a moderate income, and is in debt. The arrangements for the education of these boys are made by the Court of Wards, subject to the approval of the Punjab Government, and under these circumstances there is much to be said in favour of a good native tutor until the lads are old enough to go to the Sirdar's college.

CANADIAN ARTILLERY—CASE OF CORPORAL COURTNEY.

MR. WOODS (Essex, Walthamstow): I beg to ask the Under Secretary of State for War whether he is aware that Corporal Courtney, of A Battery, Kingston, Toronto, was on the 24th May ordered to march a squad of the battery to the canteen to drink the Queen's health in beer, to which he had a personal objection; and that, in consequence, he has been reduced to the ranks; and whether he will cause inquiry to be made into the case.

THE SECRETARY OF STATE FOR THE COLONIES (Mr. J. CHAMBERLAIN, Birmingham, W.): I have no information as to the incident to which the hon. Member refers. The administration of the Canadian Militia is entirely a matter for the Canadian Government, and Her Majesty's Government have no right or desire to interfere in a question which solely concerns one of the self-governing colonies.

BANKRUPTCY TRUSTEES AND ASSIGNMENTS OF DEBTS.

SIR HENRY STANLEY (Lambeth N.): I beg to ask the President of the

Board of Trade if he is aware that trustees in bankruptcy receive notices of assignments of debts due to creditors; whether it is the duty of trustees to assure themselves that assignments do in fact exist before parting with moneys in their hands; and whether he will take steps, by legislation or otherwise, to provide that trustees receiving notices of assignment should at once apprise the creditors concerned.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. RITCHIE, Croydon): The answer to the first two paragraphs of the question is in the affirmative. With reference to the third paragraph, I am of opinion that there is no necessity for legislation.

SALE OF UNDERSIZED SEA-FISH—LEGISLATION IN FOREIGN COUNTRIES.

MR. GIBSON BOWLES (Lynn Regis): I beg to ask the President of the Board of Trade if he will lay upon the Table of the House a Return showing what legislation, if any, has been adopted by and now exists in France, Belgium, Holland, Prussia, and Denmark, respectively, with regard to the limits of size of sea-fish allowed to be caught, imported or exported, possessed or sold, as well as the penalties, if any, imposed by such legislation, the conditions under which such penalties are incurred, and the date of each law included in the Return.

SIR CAMERON GULL (Devonshire, Barnstaple): Before the right hon. Gentleman answers the question, may I ask if he will include in any such Return a statement whether the legislation referred to is strictly enforced in those countries.

MR. RITCHIE: One can hardly ask a foreign Government if the laws enacted in its country are strictly enforced. I am making inquiries through the Foreign Office, and will consider when I receive the replies how far I can supply the information desired by my hon. friend.

*SIR J. COLOMB: Will the right hon. Gentleman inquire if there are any prosecutions in those countries?

MR. RITCHIE: I think that is rather beyond the scope of our inquiries.

MR. GIBSON BOWLES: Will the right hon. Gentleman undertake to give us the information before proceeding with the Undersized Fish Bill?

MR. RITCHIE: I cannot undertake anything of the kind. Whatever may be the regulations in force in other countries, they have nothing to do with the passing of this Bill.

MR. GIBSON BOWLES: But that is one of the questions the House is asked to deal with.

RAILWAY PASSENGERS' LUGGAGE.

SIR CAMERON GULL: I beg to ask the President of the Board of Trade whether he will grant a Return of the amounts of free luggage which the various railway companies are under statutory liability to allow to the several classes of passengers over the different portions of their lines.

MR. RITCHIE: The Board of Trade are in communication with the Railway Association, and have said they assume that the companies will have no difficulty in supplying the information. I shall press for an early reply.

FRIENDLY SOCIETIES AND DEATH CERTIFICATES.

MR. WOODS: I beg to ask Mr. Attorney General will he explain on what authority the registrars charge varying sums of from 1s. to 2s. 7d. for certificates of death of members of registered trade unions, who have funeral benefits attached to their societies, seeing that registered friendly societies only pay 1s. for such certificates, which is fixed by law, and whether he can take any action with a view of making the same charge for obtaining certificates for registered trade unions.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. CHAPLIN, Lincolnshire, Sleaford): Perhaps the hon. Member will allow me to answer the question. Section 97 of the Friendly Societies Act, 1896, provides that for the purposes of that Act a certificate of the death of any member of a registered friendly society is to be given by the Registrar of Deaths for a sum not exceeding 1s. This enactment, however, does not apply in the case of the death of a member of a registered trade union, and consequently

in such a case the ordinary fee of 2s. 7d. is payable for a certificate of death. I have no power to take the action suggested in the last paragraph of the question.

CIVIL SERVICE RETIREMENT REGULATIONS.

CAPTAIN NORTON: I beg to ask the Secretary to the Treasury whether, in view of the fact that the notice issued by the Civil Service Commissioners, on 7th April, 1894, announcing a competition limited to registered copyists for eight appointments as abstractor or assistant clerk, stating the maximum limit of age for entry at sixty, it was contemplated to retire a successful competitor upon reaching that age.

THE FINANCIAL SECRETARY TO THE TREASURY (Mr. HANBURY, Preston): Whatever may or may not have been in the mind of the authorities when that notice was issued, there can be no question that, under the general rule of the service laid down in Clause 10 of the Order in Council of 15th August, 1890, and Clause 18 of the Order of 29th November, 1898, a civil servant is liable to be called upon to retire at the age of sixty.

ACCOUNTANT GENERAL'S OFFICE. DUBLIN.

MR. T. M. HEALY (Louth, N.): I beg to ask the Secretary to the Treasury whether he is aware that the late Mr. T. J. O'Brien, of the Consolidated Accounting Office of the Supreme Court of Judicature in Ireland, was allowed a special salary amounting to £210 per annum for the discharge of the duties of Clerk in Charge of the Vote Account, and that, since shortly after Mr. O'Brien's decease in June, 1898, these duties have been performed by a junior clerk at a salary of £140, who recently presented a petition to the Lord Chancellor praying for an allowance similar to Mr. O'Brien's; whether the Lord Chancellor on receipt of the petition instructed the Accountant General to take steps to have these duties performed by a first class clerk; and, whether, seeing that the time of the three first class clerks is fully engaged by other responsible duties, and that it has been found impossible to get the work of the Vote Account done by the present first class staff, an additional first class clerk will be appointed; and, if not, whether an adequate allowance will be given to the junior clerk who has during the past two years been discharging the duties connected with the Vote Account.

MR. HANBURY: The junior clerk referred to (who is only nominally clerk in charge and receives all necessary directions from his superior officer) has the same salary as Mr. O'Brien's predecessor. Mr. O'Brien was allowed the exceptional fixed salary of £210 to compensate him for the fact that being outside the normal organisation of the Office, he had no right of promotion such as Mr. Wilson has, and was on a much lower scale of pay. Mr. Wilson's salary after thirteen years service will be £230, rising by £10 to £300 as against £210, fixed salary paid to Mr. O'Brien after the same period of service—and this irrespective of his chance of promotion.

IRISH LAND ACTS—THE ASHBOURNE ACT.

MR. DALY (Monaghan, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that purchasers under the Ashbourne Act are only entitled to about £10 per cent. every ten years, while purchasers under the Land Bill of 1896 will be entitled to £14 after ten years; whether he is also aware that the sinking fund under the Ashbourne Act is only 17s. 6d., while under the Bill of 1896 it is £1 5s.; and whether there is any reason for not placing the purchasers under the Ashbourne Acts on as favourable terms as the purchasers under the Bill of 1896.

THE CHIEF SECRETARY FOR IRELAND (Mr. G. W. BALFOUR, Leeds, Central): The first paragraph of the question appears to be based upon a misapprehension, for though the Treasury rules and tables have been published so far as regards the application of the decade system to purchases under the Ashbourne Act, they have not yet been issued with regard to purchases under the Acts of 1891 and 1896. There is no authority, therefore, for assuming that the sum of £14 per cent. is correct. The facts are as stated in the second paragraph. The advances under the Ashbourne Act were made by means of the realisation of stock issued under the Local Loans Act at 3 per cent., advances under the Acts of 1891 and 1896 by the

issue of guaranteed land stock bearing dividends at £2 15s. per cent., which is provided by the interest portion of the tenant purchasers' annuities, the balance of the annuity, £1 5s., being accumulated against the annuity. The Local Loans stock is not redeemable until 1912.

LISTOWEL SUB-COMMISSION.

MR. FLAVIN (Kerry, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he can give the number of originating notices served by tenants to have judicial rents fixed before the Sub-Land Commission at Listowel; whether he is aware that dissatisfaction exists in North Kerry owing to the delays caused to tenants by the fact of their applications to have fair rents fixed being delayed for such long periods; and whether he can say when the next sitting of the Sub-Land Commission at Listowel will be held.

MR. G. W. BALFOUR: There are 115 cases from the union of Listowel, in which the applications to fix fair rents have not as yet been listed for hearing before a Sub-Commission. Apart from the statement in the question, I am not aware that dissatisfaction of the nature indicated exists in the district referred to. Sittings of Sub-Commissions have been held for the disposal of cases from that district as frequently as has been found possible, having regard to the claims of other districts. It is probable that a list containing the majority of the 115 cases now outstanding will be issued towards the close of the present year, but no definite arrangements have as yet been made.

MR. FLAVIN: Is the right hon. Gentleman aware that the real cause of the dissatisfaction is that the orginating notices were served so long ago as three years last March?

[No answer was given.]

IRISH LUNATIC ASYLUM REGULATIONS.

MR. O'KEEFFE (Limerick): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if his attention has been called to a resolution adopted by the Board of the Limerick District Asylum pointing out the state of the law as regards the admission of lunatics in Ireland; and, seeing that after the magistrates, in conjunction with the medical officer called to examine insane patients, make the order for committal to an asylum, there is no power to compel the friends or relations of such patients to pay for their maintenance, even if they are able to afford it, whether power could be given to the authorities of asylums in Ireland to compel payment for patients so committed on ascertaining that the persons responsible for their support are in a position to do so.

MR. G. W. BALFOUR: No such resolution, I am informed, has been passed by the Board of the Limerick District Asylum. I may observe, however, that the power to compel friends or relatives of patients committed as dangerous lunatics, under the tenth section of the Act 30 and 31 Vict. c. 118, to pay for their maintenance could only be given by legislation.

THE SEIZURE OF THE "UNITED IRISHMAN."

MR. FIELD (Dublin, St. Patrick): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that certain issues of the *United Irishman*, published at Ormond Quay, Dublin, were seized and confiscated by the Dublin metropolitan police and also by the constabulary; whether he can explain to the House the reasons for such seizure and confiscation; and whether he would state upon whose orders those seizures were made.

MR. G. W. BALFOUR: This question only appeared on the Paper this morning, and as all the official documents on the subject are in Dublin, I will ask the hon. Member to defer the question until Thursday.

DUBLIN CONSTABULARY CLOTHING.

MR. T. M. HEALY: I beg to ask the First Lord of the Treasury, having regard to the fact that the uniform and clothing of the Dublin police are imported from England, although this force is largely supported out of local rates, and that the uniforms of the Royal Irish Constabulary, and the uniform and clothing used in the Irish Prison Service, and the Army clothing used in Ireland, are obtained also in England, and in view of the difficulty entailed on Irish manufacturers by the

system of contracts established by the Government Department at Pimlico, whether the Government would consider the advisability of starting an Irish Government Clothing Department, so that local manufactures may be established on lines which would make it possible for the clothing used in Irish Government Services to be made in Ireland.

MR. G. W. BALFOUR: The contractors for the supply of cloth for the Irish police are all, I believe, resident in England, but the making up of the articles of clothing is, with the exception of helmets, in the hands of Irish firms. The subject of contracts for the clothing of the police has on more than one occasion engaged my own personal consideration. Proposals have been made to me that these contracts should be restricted to Irish firms alone, and that the existing system of inspection at the Army Clothing Department in London should be abolished. As regards the first proposal, every facility has been given to Irish firms to tender, and they have been supplied with samples of the standard patterns. It is impracticable for the Government to consent to the restriction of these contracts to Irish firms alone, but in the case of such firms the only requirement necessary to secure the adoption of an Irish made cloth as a sealed pattern is that it should stand the War Office tests. The suggestion that an inspection depôt should be established in Ireland has been brought before the War Department, but they were unable to concur in it.

MR. T. M. HEALY: As you have established an Agricultural Department to enable Irish landlords to improve their position, why not have an Industrial Department to give the people a chance of earning wages? As the Dublin people pay £30,000 or £40,000 a year, they ought at least to have a chance of having the clothing made in Dublin.

MR. FLYNN (Cork, N.): Are we to understand that the Royal Irish Constabulary are a branch of the War Office and under its control?

MR. G. W. BALFOUR: The clothing contracts are.

POTATO GROWING IN IRELAND—EXPERIMENTS WITH ELECTRICITY.

MR. AUSTIN (Limerick, W.): I beg to ask the Vice-President of the Board of Agriculture and Technical Instruction for Ireland if his attention has been directed to a series of experiments made by Mr. O'Sullivan, of Athea, in the county of Limerick, with a view of improving potato growing; whether he is aware that under this new system an increase of 80 per cent. in the crop is shown; and will the Department cause inquiries to be made into the matter.

THE VICE-PRESIDENT OF THE DEPARTMENT OF AGRICULTURE FOR IRELAND (Mr. PLUNKETT, Dublin County, S.): My attention has been called to the experiments referred to in the question. I understand that Mr. O'Sullivan attributes the extraordinary increase in his potato crop to the action of electricity introduced through lightning conductors and distributed through the crop by means of wires. As both the parish priest of Athea and the county surveyor of Limerick are satisfied both as to the effect and the cause of this remarkable phenomenon, I shall have inquiries made on behalf of the Department.

MR. WILLIAM JOHNSTON (Belfast, S.): Can the right hon. Gentleman say what the cost per acre of electricity is?

MR. PLUNKETT: The Department has not made its inquiries yet.

QUEEN ANNE'S BOUNTY.

MR. CARVELL WILLIAMS (Nottinghamshire, Mansfield): I beg to ask the First Lord of the Treasury whether the Governors of Queen Anne's Bounty have assented to the proposed inquiry into the constitution of the Board; and whether the inquiry will be enlarged so as to include the powers as well as the constitution of the Board.

MR. A. J. BALFOUR: I have done my best to acquaint myself with the wishes of the Governors, and I do not think the reference need be altered.

BUSINESS OF THE HOUSE.

SIR H. CAMPBELL-BANNERMAN: I wish to ask the First Lord of the Treasury if he can tell us what will be the business to-morrow and on Thursday. And

I would venture to remind him of the Indian Budget. Public attention has been directed to Indian questions generally, and I think he seemed disposed a few days ago to give some consideration to it.

MR. A. J. BALFOUR: The work immediately before us is the Tithes Bill of my right hon. friend the Chief Secretary for Ireland, and the Agricultural Holdings Bill, the consideration of which was commenced last night. As regards the Indian Budget, my right hon. friend is perfectly correct in saying that I am anxious to advance the ordinary date upon which the Indian Budget is taken. That, as the House is aware, is just before the Third Reading of the Appropriation Bill, which, during this Parliament, has come on in the second week in August. I hope to considerably advance that date, but I am not yet in a position to say exactly what day it will be convenient for the House to allocate to that purpose.

MR. JOHN REDMOND (Waterford): What will be the business to-morrow?

MR. A. J. BALFOUR: The Tithes Bill will be put down again for to-morrow.

SELECTION (STANDING COMMITTEES).

Mr. HALSEY reported from the Committee of Selection, That they had discharged the following Member from the Standing Committee on Trade (including Agriculture and Fishing), Shipping, and Manufactures:—Mr. Kemp; and had appointed in substitution: Mr. Charles M'Arthur.

MR. HALSEY further reported from the Committee, That they had added to the Standing Committee on Trade (including Agriculture and Fishing), Shipping, and Manufactures, the following fifteen Members in respect of the Money-lending Bill [Lords]:— Sir William Anson, Mr. Thomas Bayley, Mr. Birrell, Mr. Butcher, Mr. Sydney Gedge, Mr. Vicary Gibbs, Mr. Hazell, Mr. Lyttelton, Mr. Maddison, Mr. Marks, Mr. Murnaghan, Major Rasch, Mr. Steadman, Mr. Lawson Walton, and Mr. Warr.

Reports to lie upon the Table.

MESSAGE FROM THE LORDS.

That they have agreed to—Colonial Solicitors Bill, without amendment.

That they have agreed to—Coal Mines (Prohibition of Child Labour Underground) Bill, changed to Mines (Prohibition of Child Labour Underground) Bill, with Amendments.

That they have passed a Bill intituled, "An Act to check Corruption." Prevention of Corruption Bill [Lords].

Also a Bill intituled, "An Act to amend the Volunteer Act, 1863." Volunteers Bill [Lords].

Also a Bill intituled, "An Act to amend the Military Lands Act, 1892." Military Lands Bill [Lords].

Queen Anne's Bounty Board.—That they have appointed a Committee consisting of Five Lords to join with a Committee of the Commons (pursuant to Message of this House) to consider the constitution of Queen Anne's Bounty Board, and to report whether economy and efficiency of administration would be promoted by any change in its constitution or by its amalgamation with any other body.

VETERINARY SURGEONS AMENDMENT BILL.

Reported from the Standing Committee on Law, etc., without amendment.

Report to lie upon the Table, and to be printed. [No 250.]

Minutes of the Proceedings of the Standing Committee to be printed. [No. 250.]

Bill to be read the third time To-morrow.

CHINA—ANTI-FOREIGN OUTBREAK—POSITION OF BRITISH LEGATION AT PEKING.

[MOTION FOR ADJOURNMENT.]

MR. PRITCHARD MORGAN (Merthyr Tydvil) rose in his place, and asked leave to move the Adjournment of the House for the purpose of discussing a definite matter of urgent public importance—namely, "the present position of the British Legation at Peking, and the necessity of taking immediate and definite steps in the matter"; but the pleasure of the House not having been signified, MR. SPEAKER called on those Members who supported the motion to rise in their places, and not less than forty Members having accordingly risen:—

MR. PRITCHARD MORGAN: I am sure the whole of the House will regret

to hear from the right hon. Gentleman the Under Secretary for Foreign Affairs that the gravest possible fear exists with regard to the safety of British residents in Peking, and especially with regard to the Legation. I am not altogether without hope that there is a probability that the Peking Legation can hold out until some relief comes, but in the meantime we are face to face with this very grave difficulty: We do not know who is the ruling power in China to-day; we do not know whether it is the Dowager Empress, or whether she has been removed; and we do not know whether it is Prince Tuan or his son. That being so, and there being such a terrible state of confusion, I think that Her Majesty's Government ought to consider the advisability of taking some step, in conjunction with other Powers, to consider the question of creating a Regency in China. With Peking, at the present moment, it is impossible to hold any communication, and even if it were possible, matters are in such a disturbed condition that it would be impracticable to arrive at any solution of this very grave difficulty. I would like the House to follow me in one or two observations with regard to these disturbances. They exist only in one part of China—that is in the extreme north in the provinces of Shantung and Chihli. There are various causes given for these disturbances, and causes which perhaps it would not be well to remind the House or the country of at the present moment. But the Chinese have had some causes of complaint, not least among them being the demands of the various foreign Powers for concessions of railways throughout their Empire, and not only for concessions for railways, but insisting upon the Chinese Government undertaking to pay interest on the capital which was required for the building of these railways. That was one of the causes, perhaps, which led to these disturbances. I am not defending the Chinese in any way, but do not let the House misunderstand me. I want the House to understand that the disturbances have arisen in those particular districts where these concessions have been insisted upon from the Chinese. It is impossible, probably, to change the form of Government or the Constitution of China. The *status quo* should, perhaps, in the opinion of those best able to judge, be maintained. But, in the meantime, we have this danger—a danger to the lives of British subjects at Peking, and also a danger to the lives of all foreigners, which, of course, their respective Governments will probably also consider. I do not think it is generally known to the House or to the country that there is a provisional Government already appointed in China. That provisional Government consists of Li Hung Chang (who is at the head of it), Chang Tsi Tung, Lien Quan Yih, Yuen Chih Kai, and Yu Lien Chan. I think Her Majesty's Government is aware officially of the existence of this provisional Government, and these Gentlemen are Viceroys of the most important provinces in China. But these provinces are situated at great distances from each other, and it is utterly and absolutely impossible for them to enter into communication with each other daily or hourly, as the importance of the subject would necessitate. I would suggest—and I am not doing this for the purpose of embarrassing Her Majesty's Government—that a Regent should be appointed. I suggest that you should have one man with whom you can deal in China, and the experience of all those who know Chinese affairs points unmistakably to one man as the strongest man in China, who is head and shoulders above everybody else, and who some thirty years ago was considered the most eligible man to occupy the throne of China. He is the man whom General Gordon picked out for the throne, and Gordon would have put him upon that throne if one of the Powers had not found out what Gordon was going to do, and the result was that Gordon was recalled upon the particular day he was going to do it. That man is Li Hung Chang. He is the most prominent statesman in China. He has more influence there to-day, for his mere name strikes terror into the heart of every Chinaman, and I say that in this extreme emergency, having regard to the fact that you do not know who is on the throne to-day, that Her Majesty's Ministers do not know to-day who is the Emperor or who is the Empress of China, it is the duty of the Government to consider the question of creating a Regency and communicating with other Powers to find someone in China who can be dealt with at this critical moment, and who may even now save the lives of British subjects and others in

Peking. From the year 1860 up to the Japanese war Li Hung Chang was looked upon as the heir apparent to the throne. I hope that the Government will not for a moment consider that I am making this suggestion in order to embarrass them, for I am only doing it in order that it may be made known to the other Powers that there is a possibility of saving the lives of the foreigners who are in Peking, and I do not hesitate to say that Li Hung Chang would do it. It is not only my opinion, but also the opinion of the highest Chinese authorities, that Li Hung Chang is the man who can probably put an end to these disturbances, and I would beg and pray of Her Majesty's Government and the other Powers in Europe and America to consider the question of creating this Regency at this critical moment, and later on consider the question of whom you are going to put on the throne. It is necessary that changes should be made in order that peace and prosperity may attend that mighty Empire. I appeal to the House, having regard to our being in ignorance as to whether there is at present any head of the Government, to consider whether one should not be created. I believe that if Li Hung Chang were to go north there would be a rising of the Cantonese and Southern Chinese against the Manchu dynasty. Leave him where he is for the present; terms can be made, and then Li Hung Chang can proceed to Peking, accompanied by troops if necessary. I am certain that this is the only possible means of restoring order. I beg to move that this House do now adjourn.

*Mr. JOSEPH WALTON (Yorkshire, W.R., Barnsley): I beg to second the motion as a matter of form, because, though there has not been a stronger critic in this House of the policy pursued by Her Majesty Government in relation to affairs in China than I have been, yet I am bound to say that I believe in the present crisis they have done all in their power to protect the lives and property of British subjects in China. I have the honour of personally knowing Admiral Seymour, and I feel certain that all that courage, determination, and ability could do was done by him and the 2,000 troops under him when they attempted to reach Peking to relieve the foreigners there. My opinion is that long before any such an arrangement as that foreshadowed by the hon. Gentleman who has just spoken could possibly be given effect to there would be no foreigners in Peking to be relieved. From all I gathered during my visit to the districts where the rebellion now is, a few months ago, and from my somewhat extensive journeys throughout China, I believe it is a fact that the great bulk of the inhabitants throughout that country have no sympathy with the present rising. I believe that the great hope of staying the rising and preserving the integrity of the country lies in intimating distinctly—in concert with Japan, the United States, Germany, and any other Power interested in China that would join in the intimation—to the great Viceroys of Nankin and Wuchang that they can rely on no attempt being made by any of the Powers to seize territory in that great heart of China—the Yang-tsze region—and that the Powers will co-operate with the Viceroys in the interests of order. With regard to the suggestion of the hon. Gentleman that Li Hung Chang should be made Regent of the great Chinese Empire, my own feeling is that it would be much wiser on the part of Her Majesty's Government to intimate to Li Hung Chang that they would hold him responsible in purse and person for any outrages committed on foreigners in the districts under his governorship. I hope the Under Secretary for Foreign Affairs will be able to give us some information that will show that the opinion I have expressed that Her Majesty's Government are doing all that is humanly possible to relieve Peking is true. I certainly do not think that this is an opportune moment to raise any further question than that which has been declared to be of urgent and definite public importance—namely, what has been done and is being done to reach Peking with an expeditionary force in time to save the lives of the foreigners there. I must say, knowing as I do personally many of those now cooped up in Peking surrounded by those hordes of Chinese, that one's heart goes out to them and is sad when one thinks that even at the present moment, while we are discussing this question here, it is seriously possible that there may be none of them alive for relief to be taken to.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Pritchard Morgan.*)

MR. GIBSON BOWLES (Lynn Regis): It is a matter of concern, in view of the most serious, sudden, and unexpected events that have occurred, that notice should be taken of them in this House, even by way of moving the adjournment—always an unsatisfactory method. The events which have occurred are undoubtedly not only of a most unexpected character, but are of the greatest possible importance and fraught with the greatest issues—issues which concern not only the relations of the Powers to China but the relation of the Powers towards each other, which is, perhaps, the gravest and most serious difficulty that may arise out of this rising in China. But we must also not forget that on these events and the turn they may take will depend also the future of so large a portion of the earth's population as one-third. I agree with the hon. Gentleman opposite that this is not a popular rising in China in the sense of being a rising of the whole people. It is a small provoked rising, but none the less serious for that. I believe Her Majesty's Government are once more at the parting of the ways, as they were when they were called upon to remove Her Majesty's ships from Port Arthur. There are two courses to be initiated at the Foreign Office, and upon the wise choice between these courses will depend, I believe, the future of China and the whole future of British prospects in the East. I think there can be no doubt that the Imperial Government at Peking as we knew it a fortnight ago has disappeared. It no longer exists, and in its place there is chaos, accompanied, as the hon. Member opposite said, with the most awful danger to Europeans in Peking. I am convinced I am not exaggerating the situation when I say that chaos reigns in the Chinese capital, and that there is no form of Government to appeal to. The only question that I think we ought to consider now is, the Chinese Government we have known having disappeared, what is to be done to carry on our relations with China, to secure law and order and the observance of treaties. I cannot for a moment agree with the hon. Gentleman opposite that England ought, in company with other Powers, to intervene with the Government of China by nominating a Viceroy, I care not whether he be Li Hung Chang or anyone else. Not only have we no right to impose a Viceroy on China, but I will undertake to say that we have no power to do it. I therefore entirely repudiate the suggestion made to that effect, but I repudiate still more strongly the suggestion that Li Hung Chang should be held personally responsible for events over which he has no control and which he could not have prevented.

MR. JOSEPH WALTON: My remarks referred only to the districts under the control of Li Hung Chang.

MR. GIBSON BOWLES: No such occurrences have taken place in those districts, nor are any expected, and I am sorry, therefore, that the hon. Gentleman should have made such a strong suggestion on a mere possible contingency which I believe will not arise. I need not recall to the House that China consists of eighteen provinces governed by nine Viceroys and nine Governors, who have always been the real Governors of China. The Imperial Government of China is a shadowy something not after our idea of government. There is no central Government for taxation, and the government of the country is carried on by the Viceroys. I have information which I believe to be absolutely true, and which comes from a very serious and well-informed source, to the effect that of the nine Viceroys six have already met together and have practically formed a provisional Government. These Viceroys are the Governors of the central and southern provinces.

MR. PRITCHARD MORGAN: They have never met together yet.

MR. GIBSON BOWLES: I do not know how late the hon. Gentlemen's information may be—whether it is information he brought from China or information he received since his return, but my information is that there has been common action between the six Viceroys I have indicated. It is possible they may not have all met, but by inter-communication they have achieved this result. They have practically formed a provisional Government, which at this moment exists, and they are prepared and are in a position to guarantee good order and the safety of foreigners in their own provinces, and are also prepared to guarantee the execution of treaties with foreign Powers.

They are, in other words, a *de facto* Government, with powers much more real than were ever exercised by the Imperial Court, and they are ready to undertake the government of the country. That is a more natural arrangement than one Viceroy or one Regent, and they look for —and for my part I trust they will obtain —the support of Her Majesty's Government. We have lost one Government, but we have got another. I am not sure whether it will last, but there it is for the moment, and it is for the moment that we want some controlling power able to take charge of an abandoned Empire. Assuming that my information is correct—and I am pretty certain that it is—this Government does exist. It is not a Government *de jure* but it is a Government *de facto*. It has been the tradition of England to recognise *de facto* Governments, and I hope this tradition will be carried out in connection with China. That tradition always seems to me practical and useful, and should be pursued by Her Majesty's Government. We do not know what awful vistas of war, confusion, and trouble may be opened up in these Eastern parts. We do not know on what conditions the Powers are going to intervene. Are they to elect a Regent, or any other new form of Government? I am most profoundly convinced that if Her Majesty's Government attempt to invent a form of government for the Chinese and impose it upon them, they will undoubtedly meet with a most ignominious failure. Twenty-one times has China been invaded, and twenty-one times has China absorbed the invader, and the invader has become a Chinaman. Do not let us make the attempt. [Laughter.] I am sorry that on this grave emergency hon. Members should laugh. Do not let us attempt, in our position, to invent and to impose any new form of Government on the Chinese. Her Majesty's Government should at once recognise the *de facto* Government and give them such support as to carry with them, at any rate, the central and southern provinces over which the Viceroys hold sway, in the terrible emergency with which they are confronted.

MR. DILLON (Mayo, E.): I only desire to ask one question of the Under Secretary for Foreign Affairs on the subject before the House. Is it the fact, or is there any foundation for the statement, that the American Admiral in Chinese waters objected to the policy of the other Powers in attacking the Ta-ku forts, and pointed out that an attack on those forts was calculated to force the regular Chinese army into alliance with the "Boxers"? And also, if that report be true, what is the present relation existing between the American forces and those of Great Britain, and whether the Americans are co-operating with the other Powers in the other steps proposed to be taken, or if America has declared a policy of its own in China.

*SIR E. ASHMEAD-BARTLETT (Sheffield, Ecclesall): The hon. Gentleman the Member for King's Lynn has furnished the House with a very important statement in regard to the action of the Viceroys of the southern and central provinces of China; but I fear that these Viceroys will not be able to secure the restoration of order in the north. There are two great questions which we have now to consider. The first is the immediate question of the safety of the British Minister, and the other British and foreign residents in Peking. The other is the future settlement of the Chinese problem. I will only say one word in regard to the first, which is the cause of the very gravest anxiety. I wish to know why the Government have not invited three weeks ago, when they first knew the gravity of the situation, the only Power which is able to relieve the Legations in Peking, and possibly the only Power which is able to put an end to these disturbances in China—I refer to the Empire of Japan—to take action. There is not the slightest doubt that the Japanese have sufficient troops to march to Peking and put down any Chinese force which they may encounter between the sea and the capital of China. They have mobilised an army of 50,000 of the best disciplined troops in the East, and these could do all that is required. If Her Majesty's Government have allowed themselves to be pushed away from asking Japan to do what Japan alone is able to do efficiently and quickly, by the opposition of any European Power jealous of Japan, then they have incurred a great responsibility. I do not believe in this chimera of a European concert. I have never believed in it. I have watched this farce for years. I have seen its utter effeteness in Turkey, and I do not believe

it will be any more successful, in the long run, in China. What this country wants in China is a clear and definite policy resolutely carried out—a British policy supported by all the support which Great Britain can obtain. I see no other way of relieving the Legations except by an immediate appeal to Japan. Whether Russia or France agrees or not, England and the other Powers should insist on urging Japan to interfere. That is what we owe to our Minister, to our fellow subjects, and to the Christian inhabitants in the north of China. I now go to the greater question, that of the future. What is to be our policy towards China? Well, I am afraid that neither of the two Front Benches have much ground for attacking each other upon their policy towards China. On that side I see right hon. Gentlemen who seven years ago, in 1893, allowed the greatest chance ever offered for settling the Russian menace against China——

MR. SPEAKER: Order, order! The hon. Member will not be in order in discussing the general policy of this country towards China. The motion before the House only allows him to discuss the present position of the Legation in Peking.

*SIR E. ASHMEAD-BARTLETT: I was unfortunate in not hearing the words of the motion. I understood the hon. Gentlemen who preceded me had been permitted to refer to the future arrangements in China. I was going to say that the loss of the opportunity of settling the Chinese question in 1893, and a similar blunder in 1898, when our ships were driven out of Port Arthur, is to be deeply regretted. But I will say no more about those lost opportunities. In regard to the saving of the Legations and the strengthening of the Government of China—questions of the greatest importance—the hon. Gentleman who moved the motion distinctly referred to the establishment of some kind of fresh Government in China, which should prevent the recurrence of these fatal disturbances and these attacks on foreign Ministers and foreign subjects. I believe that under a kind of tutelage by Great Britain, Japan, Germany, and the United States, a Government might be set up in China which the Chinese themselves would allow to be a national Government, and which might be encouraged for the cause of civilisation. We have heard a great deal of the good policy of the young Emperor. We do not know whether he is living or not, but we might do something to encourage him. And if we go to Peking, and if the Dowager Empress is willing to be the centre of reform, we might induce or even compel her to a beneficent policy. But the most fatal policy which we could adopt—a policy which has been openly avowed in some quarters of late—is that of the disintegration of China. That would be a fatal policy, would do us no good, and would alienate Japan, the United States, and probably Germany, and would unite the whole of China against this country. The suggestion that we should have a sphere of influence in the Yang-tsze valley——

*MR. SPEAKER: Order, order! The hon. Member is not complying with my ruling.

*SIR E. ASHMEAD-BARTLETT: I again apologise. While I do not, Mr. Speaker, dispute your ruling, I am sure I have the sympathy of many hon. Gentlemen, who rarely have an opportunity of discussing this kind of question—an opportunity, however, which we have a right to exercise. Therefore, if on occasion when the great question of China is raised in a modest form, I think that even you, Sir, will allow me your sympathy at being restricted in my remarks by the rules of the House. The question before us, then, is the safety of the Legations and the restoration of order in China. The more this question is looked at the more it will be seen that the means I have suggested—namely, the intervention of Japan—is the only way of securing it. I know that the Government think a great deal of the Concert of Europe in this matter. But the Concert of Europe is a will-o'-the-wisp. The European forces may have fought together, but they are only small in number; and the most difficult questions will arise later. We know that there is the greatest jealousy on the part of Russia of any interference by Japan. But Russia itself is unable to send a sufficient force for the relief of the Legations. We hear a good deal of the great armies Russia has in North-eastern Asia. I doubt whether Russia has in all 80,000 troops there; and it is very doubtful

whether she could send 20,000 for the relief of Peking, or even half that number. On the other hand, Japan could immediately put 50,000 or 60,000 troops, with artillery, transport, and everything complete, in the field. I venture to say that the result of that operation on the part of Japan would not only be the relief of the Legations in Peking, but would place in Peking a Power upon whose thorough friendship and fairness this country could rely.

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Mr. BRODRICK, Surrey, Guildford): The hon. Gentleman who has just sat down has alluded to the difficulty private Members are in of bringing on questions of this character. I make no complaint of any advantage which may be taken of the rules of the House in order to elicit information with regard to China at this particular juncture. No one is better aware than I am of the grave anxiety which exists throughout the country at the present time as to the safety of the Legations, and also as to the preparations that Her Majesty's Government may have made. So far as it has been possible we have made no concealment from the House of Commons. We have from day to day given, as fully as we possibly could, the unfortunately very scant information which has reached us; but I very much doubt whether any good can be gained at this particular moment by an attempt to draw the Government into any discussion of policy with regard to the position in China. At the very moment when military operations are going on it is usually considered injudicious to forecast what may be the next step. At the best of moments the Government of China, or the position of affairs in China, or its Constitution, is not an exact science. At the present moment we are in a maze of uncertainties with regard to the position at Peking, and any forecast we may make as to the future must be based very much on information which must render it altogether unreliable. I doubt, therefore, whether it would be well for me to follow my hon. friend into some of the suggestions he has made, more especially as those suggestions are not altogether calculated to preserve that full concert and accord of the Powers which it is the great desire of Her Majesty's Government to secure at the present moment. But the hon. Member who moved the adjournment made one practical suggestion. I was a little surprised when he went back to the causes of this outbreak—I think that at this moment no discussion of those causes would throw very much light on the procedure which it is now desirable to adopt—and attributed it to the efforts of the concessionnaires and the pressure they wished should be brought to bear on the Chinese Government, seeing that there is no Member in the House who has invoked the good offices of the Foreign Office more frequently than the hon. Gentleman himself. But, speaking with a considerable experience of China, he urges us to consider the propriety of conferring on Li Hung Chang some special authority to act on behalf of the Powers in the preservation of order. I think it may be the duty of Her Majesty's Government to consider that among many other possible alternatives; but I certainly think it would not be our duty to pronounce any verdict on the feasibility of it, seeing that nearly every consideration as to the probable effect of it is at present hidden from us. My hon. friend has, in some respects, impeached the Government. His fear is that we have not taken sufficiently vigorous measures towards obtaining the support of the only Power which is, at this moment, capable of coming up in large numbers for the relief of the Legations. The question of calling in any particular Power is of itself a difficult one. The Government have, from the very first, from the 6th of June, when they gave full power to Sir Claude MacDonald and to Admiral Seymour to act according to their discretion for the relief and preservation of the Legations, communicated to other Powers consistently their desire that as full a force as was desired by the officers on the spot should without any delay be brought to bear. The hon. Member for East Mayo asked me whether the American Admiral had dissented from the other Powers in regard to the attack on the Ta-ku forts. We have no reason to suppose that there was any division of opinion between the Admirals on that point. Our information goes to show that the attack on the Ta-ku forts was not begun by the ships. The forts were being rapidly manned by soldiers, and their position would have made the

position of the ships untenable, and, as a matter of fact, fire was opened by the forts on the allied fleet. So far as we are aware, the Americans, who had landed men already, and were proceeding to the relief of Peking with Admiral Seymour's force, took the same part as the other ships of the squadrons in resisting the forts.

MR. DILLON: Was not the fire opened upon the fleet only in reply to the ultimatum of the Powers that if the troops were not removed they would attack the forts in the morning?

*MR. BRODRICK: There is no doubt the Admirals originally made some communication to the forts; but, so far as we are aware, they acted entirely in concert. I believe the American Government are averse, as a rule, from entering into technical and diplomatic joint action; but they are acting in co-operation, exactly in the same way as the other Powers, with ourselves. My hon. friend asked why Her Majesty's Government had not called in the Japanese, and why they had not taken advantage of the proximity of Japan to urge them to throw in an overwhelming force at once for the relief of Peking. Her Majesty's Government have been in communication with all the Powers, including the Japanese Government. Their view has been throughout to give encouragement to any Power for the prompt despatch of any body of troops which they could send to meet the existing emergency at Peking. We made it perfectly clear to the Japanese Government that we hoped that they, having it in their power, owing to their proximity, and the circumstances which enable them to throw in a large force within a comparatively small number of days, would see their way to supplement considerably the contingent they had already landed. That communication was made to them some time ago.

*SIR E. ASHMEAD-BARTLETT: Has any Power objected to that?

*MR. BRODRICK: We have no reason to think that any influence has been exerted by other Powers to discourage the Japanese Government from undertaking this work. My hon. friend has probably considered to some extent the military character of the problem. He will recollect that, while it is one thing to put troops on board ship, it is another to provide them with the commissariat and transport necessary for marching more than 100 miles through a hostile country. I need not remind the House that the circumstances in China at this moment may render it extremely difficult for a relief force to penetrate to the capital within a reasonable time. The period of rain has begun, the roads are practically impassable owing to the rains, and the railway has been rendered useless for the greater part of the way. Therefore the problem is not merely one of bringing a sufficient number of troops on the scene, but of providing them with all the details and the equipment necessary to convey a large army through a difficult country in the face of the enemy. Therefore I will ask my hon. friend to remember that the problem which we have to face, and have been facing for the last three weeks, is not so easy or so simple as, I think, he seems to imagine. I should like in a few words to explain to the House what has been done by Her Majesty's Government from the first in this matter. Practically the first warning of a serious crisis having arisen was on 20th May, when there was a meeting of the Corps Diplomatique, at which they decided that, unless the Chinese Government showed more vigour in bringing the existing state of disorder in Shan-tung, and about 90 miles from Peking to a close, it would be necessary to send for guards. Those guards were provided on 28th May. On 6th June full discretion was given to the Admiral and Sir Claude MacDonald; and on the 9th the admiral marched. Before that had taken place the Admiral had already anticipated possible difficulties by calling up seven ships to Ta-ku. Her Majesty's Government have since then made the following provision to meet the difficulty which has arisen: In the first place they called up nearly 1,000 troops from Hong Kong, and ordered them to be immediately replaced by 1,000 from India. These troops have been landed, and there are now nearly 2,000 men on shore, making with the contingents of other powers about 13,500. They have with them, I think, fifty-three field guns and thirty-six maxims. We have at this moment nine ships at Ta-ku, and twenty-five other ships on the China station. In addition to that other ships have been brought up

from Manila and Singapore. The "Goliath" battleship, the "Dido," and "Isis," first-class cruisers, have all passed Aden on their way to China; the "Argonaut," first-class cruiser, has sailed from home; three ships have been ordered from Australia; two destroyers have been put in commission at Hong Kong; two further gun-vessels are being commissioned and will sail in a day or two; the second-class cruiser "Prospero" has been ordered to Han-kau and will be there in a very few days; the transport "Jelunga" has started from Southampton with 800 seamen and marines, and arrangements have been made to utilise her as a hospital ship if necessary. No doubt that is a force, so far as naval power goes, and so far as the object of protecting isolated treaty ports where foreigners are resident is concerned, that ought to enable us very shortly indeed to carry out any work that may be required of us in that respect. Beyond that the Government have put under orders 10,000 men from India, and the Indian Government, acting with their proverbial promptitude, have already succeeded in despatching four or five transports. Some of those troops will be at Hong Kong early next week. Therefore, so far as meeting the emergency with all the means in our power is concerned, I think the House will agree with the hon. Member for Barnsley that there has been no remissness on the part of Her Majesty's Government. But my hon. friend the Member for King's Lynn asked us to take a definite step in regard to our relations with the Viceroys on the Yang-tsze. He asked us to commit ourselves to them—to establish them, as it were, as the Government of China for the time being—and to give them any support they may stand in need of. The latter part of my hon. friend's request has already been done. We cannot at this moment decide what is the Government of China, or what persons may be trusted in regard to the Government of China, but before Sir Claude MacDonald was isolated in Peking he received instructions from Her Majesty's Government to do all in his power to place as full a force as the Admiral could supply him with in support of any Chinese authority in restoring law and order. The announcement made to Sir Claude MacDonald has also been made to the Viceroys of the Yang-tsze and the south. They have been informed that so long as they use their efforts for preservation of law and order Her Majesty's ships and Her Majesty's forces will, to the full extent which the officers in command consider possible, co-operate with them and use their power in that respect. It is impossible for us by any measures which we may now take short of the progress of the expedition which we still hope the Admirals may find it possible to undertake—it is impossible for us to do more than that towards the preservation of the lives of those who are isolated at different spots in China, and more especially at the Peking Legations. We cannot go further. The safety of the Legations and the preservation of order are the only points to which we can at this moment direct our attention. All other questions of policy, all the questions of the future government of China, must necessarily stand aside until we see what may be the result of the next few days or weeks. We may, of course, be on the eve of the complete disintegration of China from within. I am not speaking of any action by the Powers from without. We may have to face the problem of 400 millions of people either in civil war or, at all events, not obeying the central authority at Peking; but all those points must wait. We can at this moment do but one thing, and that is to direct all our energies to meeting the present emergencies to the best of our ability; and I believe, notwithstanding what has fallen from my hon. friend the Member for the Ecclesall Division, the House of Commons will agree with the Government in thinking that to meet those emergencies as they have arisen the first and most cardinal and most important point is that there should be the most complete accord between all the Powers. Our labours for the past few weeks have been unremittingly directed towards that end. Up to this moment there has been complete accord between the Powers as to the steps to be taken. We believe that the united forces belonging to six different nations have co-operated in the most loyal manner in each other's support. We believe that the officers in command of them have with the forces at their disposal done the very best they can to carry through a difficult and an almost impossible task. Beyond that I hope that the House will not expect me to go this afternoon. I only hope that the

House will continue to have confidence in the Government. We will spare no effort and will strain every nerve in order to secure the relief of the Legations and also to prevent the trouble which has arisen in the north of China from spreading to the other provinces.

SIR EDWARD GREY (Northumberland, Berwick): China has been so much in our thoughts in the last few days that it is not unnatural that this debate should have arisen; but, although I feel it is not unnatural, it does seem to me that the present time is a peculiarly inconvenient one for speaking on the subject. I sympathise entirely with the right hon. Gentleman opposite in his reluctance to enter into details on any question of policy at the present moment. Her Majesty's Government have always told us that, so far as they are concerned, there will be no heart-burning, no jealousy, no reluctance to see any one of the Powers which is most capable of forwarding the work of rescue at Peking undertake a large share of responsibility. That is the utmost they can say, and it is the one thing needful to be said at the present moment. And I am sure, in the face of the news which has come to-day, all civilised Powers must feel that it would be a discredit to any one of them to adopt any other attitude. A few days ago our anxieties were concentrated upon the sufferings and the uncertainty of the fate of Admiral Seymour's force. To-day our sympathy has been aroused by the news of the blow which has fallen on Germany, and that news has quickened and painfully heightened our anxiety as to what may be the fate of our own Minister and others in Peking from whom we have no news. In face of that, we surely must feel that the one thing urgent is the work of rescue. That cannot be otherwise than impeded if there be any difference amongst the Powers. The one thing for the moment is that they should all be united in forwarding that work; and it is because I feel that the discussion of any further question of policy might possibly, by raising afterthoughts in the minds of others, impair their agreement and concentration upon the work of the moment, that I think this is a time at which to say as little as possible. After the work of rescue is over, which mercifully we hope may still be done in time, there will come the question of reparation; and I will only say that I hope the Powers will be able, when the question of reparation does arise, to so adjust their measures that the burden may fall upon the guilty parties who are really responsible. When we come to the further question which may arise in the future I would only say this much—that, although, of course, we expect Her Majesty's Government, considering our great interest in China, to be more than a lay figure in the concert, yet we are anxious that they shall do everything in their power to preserve that concert beyond the need of the present moment. And when they do exercise their influence in the concert I trust it will be in the direction of doing all in their power to avert anything like the partition of China, which, if it were the outcome of present disasters, would I am sure be a calamity to every one interested.

Motion, by leave, withdrawn.

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NEW BILL.

WILD BIRDS PROTECTION.

Bill to consolidate and amend the Law relating to the protection of Wild Birds, ordered to be brought in by Mr. Bigwood, Mr. Howard, Mr. Buxton, and Sir John William Maclure.

WILD BIRDS PROTECTION BILL.

"To consolidate and amend the Law relating to the Protection of Wild Birds." presented accordingly, and read the first time; to be read a second time upon Tuesday next, and to be printed. [Bill 281.]

QUEEN ANNE'S BOUNTY JOINT COMMITTEE.

Ordered, That Sir William Anson, Mr. Humphreys-Owen, Mr. W. F. D. Smith, Mr. Stevenson, and Mr. Stuart-Wortley be members of the Joint Committee on Queen Anne's Bounty.—(*Sir William Walrond.*)

TITHE RENT-CHARGE (IRELAND) BILL.

Order for Committee read.

*MR. SPEAKER: There is upon the Paper an Instruction in the name of the

hon. Member for East Mayo.* The rule as to Instructions for dividing a Bill into two Bills is that the Bill must either be one which is in two parts itself, or which relates to two separate and distinct subject-matters, so that it may naturally and easily be divided into two Bills. It appears to me that this Bill is a Bill for giving relief or concessions to the tithe-payers in Ireland, and although the first section proposes to give a special relief to a special class of tithe-payers, this does not constitute such a creation of two distinct matters as to facilitate a division into separate Bills. Therefore I am of opinion that the Instruction is out of order; but I may point out that the same result may be obtained by striking out the first clause and amending the definition clause by amendments in Committee.

Bill considered in Committee.

(In the Committee.)

[Mr. J. W. LOWTHER (Cumberland, Penrith) in the Chair.]

Clause 1:—

Amendment proposed—

"In page 1, line 9, after 'rent-charge' to insert 'and the land has not been, since the date of such order, conveyed to any person on a sale thereof.'"—(*Mr. T. M. Healy.*)

Question proposed, "That those words be there inserted."

THE CHIEF SECRETARY OF STATE FOR IRELAND (Mr. G. W. BALFOUR, Leeds, Central), who was indistinctly heard, said this question did not appear to be quite so simple as the hon. and learned Gentleman apparently thought. There might be some justification for the Amendment on the ground that persons who had purchased an estate since 1872 upon which tithes were payable knew the exact position, and that any repayment or annuity payable out of the estate would have to be paid; but, on the other hand, hon. Members must remember the person who suffered the hardship was the vendor of the estate. He did not think it was possible to admit the principle of the hon. Gentleman's Amendment as regards estates sold between 1872 and 1896, but he was prepared to consider the question raised by this and the later Amendment which the hon. Gentleman had set down before the Report stage, with a view to its being dealt with in one clause.

MR. T. M. HEALY (Louth, N.) did not consider that the Report stage was the proper stage for the consideration of a matter of the kind raised by the Amendment he proposed. This was admittedly a blot upon the Bill, and it was essential that it should be remedied. If the Government were determined to pass a Bill against the wishes or desires of the Irish people by which a million and a quarter was to be given to the landlords, he would suggest that the Government should also at the same time give say £200,000 to tenants. He would be quite willing to withdraw his Amendment upon the promise of the right hon. Gentleman to put a clause into the Bill, of which fair notice had been given, if it were brought in before the conclusion of the Committee stage, so that it might be fairly discussed. The question before the Committee was one which greatly affected the Irish tenants. The Government passed for the benefit of those tenants the fortieth section of the Act of 1896. He voted against that section because he believed that instead of working for the benefit of the tenants it would work in favour of Irish land values, which, unfortunately, had been the case. Instead of the tenants getting the land which they desired, the Act had been availed of to put over the heads of the tenants, after they had made a market, these land grabbers. It was not the landlords who made the trouble, but the land grabbers, and those were the persons who were now to receive a bonus of 25 per cent. on their tithe rent charge, although they were clearly purchasers with notice. Take the case of the sale of the Muckross Estate, which had been purchased by Lord Ardilaun for £500,000; was he to receive a reduction of 25 per cent. in his tithe rent-charge because the men who lived on the bogs on his estate received 25 per cent. reduction on their rents? Was he in the same position as the ancient landed gentry, who had held their land since the time of Cromwell, in whose favour, perhaps, something might be said? The same state of things was going on all over the country, and, in his opinion, it was

* The notice was as follows:—"That it be an instruction to the Committee to divide the Bill into two Bills, one dealing with the case of lay impropriate tithe-payers and the other with the case of ecclesiastical tithe-payers."

Mr. Speaker.

most unjust. Not only were these people to get out of paying their tithes, but at the end of a number of years payment was to be cut down by seven years. Supposing the Committee were dealing with an English Bill, and a man went to Tokenhouse Yard and purchased a property to be paid for by fifteen annual instalments; was it just that a Bill should be brought in the next year whereby those fifteen annual instalments should be reduced to eight? That is what the Bill now under consideration did. He had not put the case for the Irish landlords who had struggled and gone down; they might have an arguable case, but these people had no case at all. In 1869 the present Chancellor of the Exchequer denounced the action of Mr. Gladstone as sacrilege; were they now to give the benefit of that sacrilege to the persons who purchased their property the day before yesterday? When Mr. Gladstone was pulling down the Irish Church he was destroying an ancient institution, though he did his best to be friendly with his enemies; but he would turn in his grave if he thought that these persons were going to benefit by his action. Much as he (Mr. Healy) objected to the Bill, he had put down no Amendments of an obstructive kind. The Amendment before the Committee was of a businesslike character, and, if the right hon. Gentleman could not accept it at the moment, he would withdraw it upon the promise of the right hon. Gentleman that he would bring in a clause during the Committee stage of the Bill, when it could be dealt with in a businesslike manner.

MR. DILLON (Mayo, E.): This Amendment is a valuable one, forming as it does a test of the *bona fides* of the Bill. We are told by the Chief Secretary that the Bill is introduced simply for the purpose of remedying a grievance. The hon. Member for North Louth brings in at the outset of the discussion an Amendment which deals with a case which the Government did not foresee. If this Bill is to remedy a grievance, why do not the Government accept this Amendment?—because the Government surely will not contend there is any grievance so far as the people who bought since 1872 are concerned; and it is quite true, as the hon. Member for North Louth said, that the land-grabbers who purchased estates in this way had purchased them recently. But there were a great many purchases of estates before the purchase Acts were introduced. In the interval which elapsed between 1872 and 1885 there were a great many people who purchased upon notice as regards the burdens that this clause deals with, and therefore the Government cannot contend for a moment that they have any grievance whatever. The particular clause we are now discussing deals with cases of terminable annual instalments. There is no question as to the tithe rent-charge. There was previously a variable charge, but it has now become an invariable charge. There is only the annual instal ment by which these people purchased their tithes. As regards this clause it cannot be pretended that any person who has bought an estate in Ireland has any grievance whatever to complain of. I cannot imagine that the Government can offer any reason for objecting at all events to the principle of the Amendment.

MR. G. W. BALFOUR: I am ready to meet, as far as I can, the views of the hon. Member for North Louth. The Government will draw up a clause dealing with this question, as well as the subsequent question raised by the hon. Member, and will give sufficient time for the House to consider it. I hope, on the other hand, that this particular bone of contention is removed for the present, and that the Government will be able to get the Bill through Committee this evening. I think I ought to say that while I will endeavour to meet the views of the hon. Member as far as possible, I do not wish him to be under the impression that I am giving a pledge beyond what I have already indicated as to the date of limitation. I will endeavour to frame a new clause which shall meet the case as far as equity requires.

*SERJEANT HEMPHILL (Tyrone, N.): I think it would be much more satisfactory if the Government or the Committee were now to dispose of this Amendment. It must be borne in mind that it is not merely the hon. Member for Louth, or even hon. Members below the gangway, who are interested in this question, but that every Member of this House is more or less interested in the question which will ultimately, or may ultimately, affect the Imperial taxes;

because every penny that is taken away from the Church Fund by the operation of this Bill diminishes the security which the British taxpayer has now in case of default being made in the caraying out of the Land Purchase Acts of Ireland. Therefore I do not think it is satisfactory of the right hon. Gentleman the Chief Secretary to say, "If you are satisfied with my engagement to bring up a particular clause you must give me an undertaking that the debate will close to-night." I confess that, for my part, I will give no such undertaking. I disapprove of the clause *in toto*, but assuming that, for the purpose of this Amendment, that clause will stand, I wish to point out why I think the Amendment of my hon. and learned friend the Member for North Louth hould be adopted by the House. I do not think many Members of the House exactly understand the case. It must be borne in mind that redemption of tithe rent-charge was a voluntary act on the part of the tithe-payers, after the passing of the Irish Church Act of 1869. No tithe-payer was bound to come forward and enter into that arrangement by which the tithe was redeemable at the end of fifty-two years, or any other time. It was altogether optional. He might have gone on paying the rent-charge as before. This was a privilege given to them either to redeem by twenty-two and a half year's purchase, or instead of that, by paying an annuity terminable at the expiration of fifty-two years from the date of the order, and calculated on the basis of £4 9s. per cent. That was altogether a voluntary act. I know many tithe-payers who redeemed by paying twenty-two and a half years purchase. There is no relief offered to them. There is no restitution made or sought to be made to them.

*THE CHAIRMAN: I do not think the right hon. Gentleman is now dealing with the point in the Amendment. I think the right hon. Gentleman might confine himself to that.

*SERJEANT HEMPHILL: It is impossible to illustrate my argument by always confining myself to the particular words of the Amendment. I am illustrating the argument that the persons who elected to convert their tithe rent-charge into this terminable annuity were volunteers. They were under no compulsion to do so, and the State owes nothing to them any more than the State owes anything to those who put their hands into their pockets to redeem the tithe rent-charge by paying twenty-two and a half years purchase. I happen myself to have done that many years ago. It never occurred to me that under any circumstances the House of Commons would give me the opportunity of getting a rebate on that amount. It is stated that the land is sold subject to this terminable annuity of fifty-two years, calculated at £4 9s. per cent., and that the purchaser, when calculating the purchase money, pays so much less because of that burden being on the estate, and why should he now get the benefit? It is really the vendors who would be entitled to that benefit. The vendors twenty or thirty years ago would be the persons entitled to get this drawback. The purchaser, with his eyes open, bought the estate subject to this charge, and now why should the person who so purchased—it may have passed through intermediate hands—get so much knocked off the purchase money? It appears to me the most illogical and unreasonable thing ever brought into Parliament in that respect. This Amendment would go a very short way to remedy the illogical nature, and the unjust nature, of the measure, but it would go some way, and at all events it would indicate that as regards those persons who were in possession of estates, or their immediate successors since 1869, who have not done anything either to redeem the tithe rent-charge, or to convert it into a terminable annuity, and who have suffered from the reduction of the rents paid by the occupying tenants, there might be some reason for saying that they should come in and get the benefit of that Act, but those who have purchased land on a particular basis, and who took the property subject to that charge are, it appears to me, on an altogether different footing. I trust that this Amendment will be accepted by the right hon. Gentleman.

MR. WILLIAM MOORE (Antrim, N.): I should like to make a few observations on the Amendment. I think the object which the hon. Member for North Louth has announced as his object for moving the Amendment can be met without going a considerable

distance in what seems to me to be a dangerous direction. The present state of things arose owing to a miscalculation. The hon. Member for North Louth will admit that. [Mr. HEALY: No!] He does not admit it, but we on this side of the House say that the term of fifty-two years ought to have been forty-five years, and, as I understand, whether that assumption is right or wrong, the hon. Member for North Louth does not object to the application of this section in the case of those parties in whose possession the land was originally. But this Amendment deals with those cases where the land has, since the order, changed hands. If the original owner is entitled to the relief the Bill gives, surely it would follow that any person who purchased his land would be entitled to whatever rights, as an ordinary matter of the law of property, the original owner might have. The hon. Member for North Louth objects to the clause because a land corporation or speculators may have come in and purchased the land, and it seems to me he makes a fair enough case for excluding that class of persons. I do not think any one can blame the procedure of the Land Judges Court, because it is the duty of a Land Judge to get all the money he can for the parties concerned. He is bound to realise at the highest price, no matter from what quarter it comes. But the 40th Section is not used to facilitate land purchases, and I would suggest that to meet the difficulty the hon. Member has stated as arising from the transactions of the Land Judges Court this Amendment should be limited to people who have come in over the tenants' heads. There may be a difficulty if you are going to apply it to every case of sale. Sale is a large word. There may be cases where there has been a mortgage, and where the mortgagee has foreclosed and come in. This is the way to meet the grievance to which the hon. Member for North Louth refers. I think that to do otherwise would be to go a considerable way in a dangerous direction.

MR. T. M. HEALY: If I make a bargain by which I undertake to pay a certain number of annual or monthly instalments, it would be intolerable that an Act of Parliament should be brought in, and that I should be relieved out of the public funds of seven of these instalments. That is the proposition made here. I remember what the Chancellor of the Exchequer said the other day when we pressed him about the income tax. We said the income tax under the arrangement made at the time of the Union was not payable in Ireland as it was in England or Scotland. His reply was: "When I find millionaires and speculators drawing large incomes in Ireland, why should not I make them pay income tax as in England and Scotland?" When you find millionaires picking up property in the open market, is it tolerable that you should consent to seven of their instalments being knocked off out of the public pocket? It is the most extravagant, erratic, and burlesque proposal I ever heard of. I felt it to be a grievance that I should have to pay anything towards the war in South Africa, because I did not contract it. These people entered into a contract by which they were subject to pay so many years instalments, and the Government now turned round and said they would, out of their kindness, let them off seven instalments, not out of English, but out of Irish money. The hon. and gallant Member for North Armagh once said—

> "Whenever England wants to wipe away a tear from the eye of Ireland she is always careful to make Ireland pay for the pocket-handkerchief."

It is one of the truest things ever said, and it is not the less true because it was said by the hon. and gallant Gentleman. They are ready enough to remedy the mistakes made against Irish millionaires when they have an intolerable grievance, but why do they not remedy the mistakes made against the Irish National teachers? When they make mistakes against Irish landlords they remedy them out of Irish funds, and the Government are now making an assault upon the one petty little fund available in Ireland for education, in order to let the gentlemen who bought this land off seven years instalments. The English Government do many grotesque things, but I do not think that they ever in their wildest moments did anything like this. I can say no more. You can pass anything with regard to Ireland through this House. There was a time when these things caused amusement, but nothing amuses anybody now. You give Ireland £30,000 or £40,000 out of this fund to teach us how to churn butter one year, and the year after you take away from

us £1,500,000. If this grievance exists, why do you not remedy it out of the English funds? Why does the right hon. Gentleman not insist that the English should buy the pocket-handkerchief? He said that upon the hustings.

COLONEL SAUNDERSON (Antrim, N.): No. I said that in the House of Commons.

MR. T. M. HEALY: Well, then, you must have repeated it in the House. The Government in this matter have acted in a manner which is absolutely incomprehensible, for there was no pressure put upon them in regard to these new speculators. A more monstrous proposition never emanated from any Government.

MR. FLYNN (Cork, N.) asked what understanding had been come to between the Chief Secretary and the hon. Member for North Louth.

MR. G. W. BALFOUR: The understanding is that at the end of the Committee stage I shall bring forward a new clause dealing with the question raised in the present Amendment. I understand that, under those circumstances, the hon. and learned Member for North Louth consents to the Committee stage being finished to-night.

MR. DILLON: I did not understand at all that the hon. Member for North Louth went so far as the right hon. Gentleman says. The hon. Member for North Louth made some observations as to the possibility of the Bill passing through Committee to-night, but that depends on the course of the discussion. Of course, if the Government are prepared to give any fair concessions, to meet our Amendments in a reasonable spirit, the Bill would pass more rapidly.

MR. FLYNN said the more this clause was considered the more the justice of the Amendment must become apparent. There were cases in which speculators came in and bought land over the heads of the unfortunate tenants, and it was not fair that they should get the benefit of this clause. He thought that they were more than justified in insisting that there should be a discussion on this clause, and that the consideration of the new clause should not be relegated to the hour of midnight. Something ought to be done to meet the views of those who were in favour of what seemed on all hands to be a most logical and proper Amendment.

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.) said that if what the Chief Secretary had stated did not carry out fully the views of the hon. Member for North Louth, it would at all events give a very large measure of what he desired. As he understood the arrangement, it was that the Committee stage should be finished that night, with the exception of the new clause which the Chief Secretary had undertaken to bring up, the discussion on which should be taken early on Thursday.

MR. T. M. HEALY said that his Amendment would be accepted in principle, and therefore, so far as he was concerned, he accepted the statement of the right hon. Gentleman. He begged leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

MR. DILLON: We shall have an opportunity of discussing the Clause as a whole later on, and the Amendment I rise to move touches only in a very slight degree the principle of the clause. I desire at the very earliest moment to reply to the statement that the clause itself and the demand of the Irish landlords upon which it is founded spring from a miscalculation made in the settlement of 1869. There is not a shadow of foundation for that statement. It rests upon an absolute invention which was first heard of thirty years after that settlement was arrived at, and which till then had never been stated by the Irish landlords or anybody on their behalf. The point was raised in the House of Lords in 1894 by Lord Belmore when he asked why the Treasury in 1869 recommended the Government to alter the terms of the annuity of £4 10s., including interest at 3½ per cent. for forty-five years, to an annuity of £4 9s. for fifty-two years, and he insinuated at the time that there had been a miscalculation on the part of the Treasury. Here is the answer of the Treasury in the Memorandum of June, 1895—

"The Land Commissioners have recommended that in such cases the terms of

redemption of the perpetual tithe should be reduced from twenty-two and a half years' purchase, the rate prescribed by the Acts of 1869 and 1872, to twenty years' purchase, but the Treasury have not felt justified in concurring in this proposal. The primary reason which led this Board and their predecessors to that conclusion was the very serious loss which this proposal, and the consequences which might be apprehended from it, would inflict on the Church Fund. The possible amount of that loss was estimated by the Land Commission in 1888 at £845,000, supposing the concession limited to the tithe only, without application to other portions of the Church property; and it may be taken as certain that no such amount could now be surrendered without serious risk to the solvency of the Church Fund. Other considerations, however, affecting the proposal on its merits cannot be overlooked, two of which the First Lord may place on record:—

> "(1) It is in effect a compulsory reduction of the (statutory) value of one particular charge on the land—namely, that held in trust for Irish public purposes, unaccompanied by any suggestion of reduction in other and less will-secured charges such as mortgages. Measuring the security of a charge by the rate of interest which it carries this proposal would treat the tithe as a 5 per cent. charge, and, therefore, as being no better secured than mortgages carrying 5 per cent. interest, and worse secured than those carrying 4½ per cent. As all such mortgages are posterior to tithe the First Lord thinks that the statutory price of twenty-two and a half years' purchase, implying interest at 4½ per cent., is not illiberal to the tithe payer in view of the ordinary rates of interest on mortgages on Irish land.
>
> "(2) This proposal to treat the tithe as no better secured than a 5 per cent. charge is in striking contrast to the suggestion that loans from the Church Fund on precisely the same security should be made at a rate not exceeding 3½ or even 3 per cent., which rates involve a high estimate of the security. It would be extremely illogical, apart from other objections, to apply simultaneously both these methods of relieving the tithe-payer at the cost of the Church Fund.

"In conclusion, the First Lord desires to remark that he has endeavoured in this memorandum to distinguish between the matters for which the Board is, and those for which it is not, responsible. In the case of the former, it is their Lordships' duty to defend their own decisions; but as to the latter, it is only necessary to state facts and figures for the consideration of the Legislature."

For thirty years this tithe rent-charge was accepted as a first statutory charge on the land of the owners who were subject to it without any complaint or suggestion that it was otherwise than fair and legal. What is the nature of the clause we are now discussing? Under the Church Act of 1869, by Clause 32 the tithe rent-charge payers of Ireland were entitled, if they so desired, to redeem the tithe rent-charge by an annual payment for fifty-two years equal to the perpetual payment to which they were subject. There was no question of the amount of interest or sinking fund, but they were given permission as a bribe to get rid of a perpetual charge on their estates by a terminable annuity extending over fifty-two years. What landlord or private individual owning property is there in this House who would not accept such a generous settlement? Moreover, no Irish landlord was compelled to accept those terms. After the clause was passed any landlord who redeemed on those terms entered into a voluntary contract with the Church Fund and the Government—a contract which he was bound to observe. Landlords were subject to the tithe rent-charge to the extent of nearly half the revenue of the Church Fund arising from tithe redeemed, and we have to remember the extent to which that redemption has gone and the amount of the present terminable annuities. According to the report of the Comptroller and Auditor General on Church Temporalities in Ireland for the year ending 31st March, 1898, the annuities amounted to £167,717 per annum. Therefore, what is proposed in this clause is to strike off seven instalments of those annuities. I am going to move an Amendment which will have this effect—that instead of presenting to the Irish landlords a sum of considerably over £1,000,000, we should content ourselves with giving them a sum of £167,000, that is to say, one annual instalment instead of seven. Although I do not intend on this Amendment to raise the whole question of the principle of the clause, I have thought it right to take the opinion of the House on this particular question, so that if we are to make any gift at all to the Irish landlords it shall be not £1,200,000, but only £167,000. I beg to move.

Amendment proposed—

"In page 1, line 10, to leave out the words 'forty-five,' and insert the words 'fifty-one.'" —(*Mr. Dillon.*)

Question proposed, "That the words 'forty-five' stand part of the Clause."

MR. G. W. BALFOUR: The hon. Member for East Mayo said he did not desire to discuss the principle of the clause on this Amendment, but it appeared to me that at least four-fifths of the speech to which we have listened was, as a matter of fact, devoted to the general principle of the clause, and not to the Amendment. With respect to the Amendment I will only say that the case for reducing the number of years purchase to fifty-two was thought at the time to be overwhelming, but that was because a miscalculation was made. If we were to accept the hon. Member's Amendment to reduce the number of annual instalments by one, we should be cutting the ground from under our own feet; therefore, it is not an Amendment the Government could possibly accept.

MR. SWIFT MACNEILL (Donegal, S.) wished in the strongest way permitted by Parliamentary language to deny the assertion that there was any miscalculation in this matter. Lord Belmore, who was the first to start this claim, was a young man in the House of Lords at the time the Church Act was passed, but he did not oppose the settlement. A very eminent landlord on the opposite side of the House voted for the disestablishment of the Irish Church, but he never saw that he was being robbed, or that a mistake was being made. The hon. Member himself could remember the fearful prophecies that were made at the time of the passage of the Church Act as to what would become of the funds of the Irish Church; it was said that the money would go to the building of lunatic asylums and lighthouses and so on, but instead of that it was being used to make presents to the landlords. This was not the first time that that which belonged to the Irish people had been taken and given to a class of land-jobbers, but he defied anybody to find, in the whole English Statute-book, a proposal more audacious than that now before the Committee. Without difficulty he could make a list of under thirty names which would comprise the men who would benefit the most by this Bill, and no fewer than five members of Her Majesty's Government would by it shovel public money into their own pockets.

*THE CHAIRMAN: I think the hon. Member is hardly addressing himself to the Amendment.

MR. SWIFT MACNEILL said he was addressing himself to the monetary interest of the members of the Government in this proposal. He should resist this Bill by every means in his power, and when it was passed denounce it on every possible occasion throughout the country.

*SERJEANT HEMPHILL: I think there are one or two matters in reference to this Amendment on which the Committee ought to be informed before they come to a decision. The Chief Secretary has stated that the fifty-two years was based originally on a miscalculation, but he has not informed the Committee what that miscalculation was or wherein the error consisted. I apprehend that it was an arbitrary figure determined upon, when giving an option to tithe-payers which they might either adopt or refuse. I presume the right hon. Gentleman will state to the House how he makes out that this was an actuarial error. The other matter upon which I should like a little information is this. At present the great majority of tithe rent-charges in Ireland have not been either redeemed or converted into terminable annuities. Will this section enable future buyers to get this advantage?

MR. G. W. BALFOUR: No.

*SERJEANT HEMPHILL: Then it ought to be so worded. Is it altogether retrospective?

MR. G. W. BALFOUR: Clause 4 is.

*SERJEANT HEMPHILL: Clause 4 is only in regard to redemptions. There is nothing to prevent a person who is now liable to pay the regular tithe rent-charge as fixed by the Act of 1872, coming in the day after this Bill is passed, and converting that into a terminable annuity.

THE ATTORNEY GENERAL FOR IRELAND (Mr. ATKINSON, Londonderry, N.): My right hon. friend is quite mistaken; he is led entirely astray in his remarks by the assumption that this payment is not a sale. There is no difference between a sale when you pay cash down, and a sale when the purchase money is in annuities. Both are sales within the express wording of the Act.

*SERJEANT HEMPHILL: I do not agree with my right hon. friend. There

is no definition of "sale" in the Act. There will be exactly the same happen as was the case with the Land Act of 1896; it will be a puzzle for the Courts to solve.

MR. G. W. BALFOUR: I think this should be discussed on the clause itself, and not on the Amendment, and the hon. Member for East Mayo has succeeded in getting a double discussion on the principle of the clause. As, however, he has insisted on raising this point, let me at once say that, if the right hon. Gentleman opposite will read Section 32 of the Irish Church Act, 1869, he will see that what is contemplated is a sale. I think the right hon. Gentleman will now admit that in both cases, whether the payment is by a lump sum or by annuity, it is a sale.

*SERJEANT HEMPHILL: I think it is very ambiguous, and it ought to be made clear.

MR. DILLON: The right hon. Gentleman has made the charge against me that in moving this Amendment I have got a double discussion on the principle of this clause. I particularly said that I intended to be brief, and I was brief, because I did not want to discuss the principle of the clause. But this Amendment plainly involves that principle. The principle of the clause is to make a further gift to people who have no claim whatever to such a gift, and it is perfectly legitimate in a few words to show that that is the principle, and therefore is a ground for reducing the amount of that gift. If the gift is to be made at all it will be less objectionable if the amount is £167,000 instead of £1,200,000. The right hon. Gentleman has referred to a point which I intended to raise—namely, that the transaction we are now called upon to undo was a sale, and a sale carried out in most cases thirty years ago. It was no miscalculation, but a sale carried out at twenty-two and a half years purchase, the landlord being allowed to borrow the money from the Church Fund at a very low rate of interest to pay for the thing he had bought. There is overwhelming force in the case put forward by the right hon. Gentleman below me of those who put their hands into their pockets and paid cash.

MR. G. W. BALFOUR: The hon. Gentleman is quite mistaken.

MR. DILLON: Does the right hon. Gentleman mean to say that nobody paid for their tithe rent-charge in cash?

MR. G. W. BALFOUR: Those who redeemed their tithe rent-charge in cash in 1872 redeemed the net tithe rent-charge and not the gross.

MR. MURNAGHAN (Tyrone, Mid) supported the Amendment on the ground that it was the lesser of two evils. He objected entirely to the principle at the bottom of this proposal, and could not make out why the Government, without any pressure from any quarter, should wish to disturb a settlement of such a character. Such a course was not in the interest of any great public policy, and it certainly would not pacify the country. He was rather curious to know what defence the right hon. Gentleman would make for carrying out such a settlement. He claimed that he was doing it as an act of justice, but he did not see where the injustice of the present system came in. These parties entered into their contracts voluntarily, and they did so because they thought it would be profitable, and why should they now put their hands into the purse of the Irish nation? He desired most earnestly to support the Amendment of his hon. friend, which he hoped would be pressed to a division.

Question put.

The Committee divided:—Ayes, 116; Noes, 66. (Division List No. 170.)

AYES.

Archdale, Edward Mervyn	Beach, Rt. Hn. Sir M. H (Bristol)	Chamberlain, J Austen (Worc'r
Arnold-Forster, Hugh O.	Beckett, Ernest William	Chaplin, Rt. Hon. Henry
Arrol, Sir William	Blakiston-Houston, John	Charrington, Spencer
Atkinson, Rt. Hon. John	Boscawen, Arthur Griffith-	Clare, Octavius Leigh
Baird, John G. Alexander	Bullard, Sir Harry	Collings, Rt. Hon. Jesse
Balcarres, Lord	Butcher, John George	Colomb, Sir J. Charles Ready
Balfour, Rt. Hn. A. J. (Manch'r.	Carson, Rt. Hon. Sir Edw. H	Colston, Chas. Edw. H. Athole
Balfour, Rt Hn Gerald W (Leeds	Cavendish, V. C. W. (Derby)	Cooke, C. W. Radcliffe (Heref'd)
Barry, Rt Hn A H Smith- (Hunts	Chamberlain, Rt. Hn. J. (Birm.	Corbett, A. Cameron (Glasgow)

Cornwallis, Fiennes Stanley W.
Cox, Irwin E. Bainbridge
Cross, H. Shepherd (Bolton)
Curzon, Viscount
Dalkeith, Earl of
Dickinson, Robert Edmond
Douglas, Rt. Hon. A. Akers-
Dyke, Rt. Hon. Sir Wm. Hart
Fellowes, Hon. Ailwyn Edward
Finlay, Sir Robert Bannatyne
Fisher, William Hayes
FitzGerald Sir Robt. Penrose-
Foster, Sir M. (Lond. Univ.)
Galloway, William Johnson
Gibbons, J. Lloyd
Goldsworthy, Major-General
Gordon, Hon. John Edward
Gorst, Rt. Hon. Sir John Eldon
Goschen, Rt Hn G. J (St George's
Hamilton, Rt. Hn. Lord Geo.
Hanbury, Rt. Hon. Robert Wm.
Helder, Augustus
Henderson, Alexander
Hornby, Sir William Henry
Howard, Joseph
Howell, William Tudor
Hudson, George Bickersteth
Hutton, John (Yorks. N.R.)
Jebb, Sir R. Claverhouse
Johnston, William (Belfast)
Kenyon, James
King, Sir Henry Seymour
Knowles, Lees
Lecky, Rt. Hon. William E. H.
Llewelyn, Sir Dillwyn- (Swan.
Loder, Gerald W. Erskine
Long, Rt Hn Walter (Liverpool)
Lowe, Francis William
Lowles, John
Lucas-Shadwell, William
Macartney, W. G. Ellison
Macdona, John Cumming
Maclure, Sir John William
M'Arthur, Charles (Liverpool)
M'Calmont, Col. J. (Antrim, E.)
M'Killop, James
Malcolm, Ian
Massey-Mainwaring, Hn. W. F.
Melville, Beresford Valentine
Meysey-Thompson, Sir H. M.
Middlemore, John Throgm'r'n
Moore, William (Antrim, N.)
Morgan, Hn. Fred (Monm'thsh.
Morrison, Walter
Murray, Rt Hn A Graham (Bute
Murray, Col. Wyndham (Bath)
Nicol, Donald Ninian
O'Neill, Hon. Robert Torrens
Parkes, Ebenezer
Peel, Hon. Wm. Robert W.
Percy, Earl
Phillpotts, Captain Arthur
Platt-Higgins, Frederick
Plunkett, Rt. Hn. H. Curzon
Pretyman, Ernest George
Purvis, Robert
Richards, Henry Charles
Robertson, Herbert (Hackney)
Russell, T. W. (Tyrone)
Saunderson, Rt Hn Col. Edw J.
Sharpe, William Edward T.
Sidebotham, J. W. (Cheshire)
Sidebottom, William (Derbysh.
Smith, Abel H. (Christchurch)
Smith, Jas. Parker (Lanarks.)
Stock, James Henry
Thorburn, Sir Walter
Tomlinson, Wm. Edw. Murray
Wanklyn, James Leslie
Warde, Lieut.-Col. C. E. (Kent)
Warr, Augustus Frederick
Williams, J. Powell- (Birm.)
Willoughby de Eresby, Lord
Willox, Sir John Archibald
Wodehouse, Rt. Hn. E. R. (Bath
Wortley, Rt. Hon. C. B. Stuart-
Wylie, Alexander
Wyndham, George
Young, Commander (Berks, E.)

TELLERS FOR THE AYES—
Sir William Walrond and
Mr. Anstruther.

NOES.

Abraham, William (Cork, N.E.)
Allan, William (Gateshead)
Austin, M. (Limerick, W.)
Bayley, Thomas (Derbyshire)
Broadhurst, Henry
Caldwell, James
Carew, James Laurence
Clancy, John Joseph
Daly, James
Dillon, John
Doogan, P. C.
Duckworth, James
Esmonde, Sir Thomas
Evershed, Sydney
Fenwick, Charles
Ffrench, Peter
Flynn, James Christopher
Gibney, James
Gourley, Sir Edward Temperley
Healy, Timothy M. (N. Louth)
Hemphill, Rt. Hon. Charles H.
Holland, William Henry
Jameson, Major J. Eustace
Jones, William (Carnarv'nshire
Langley, Batty
Leese, Sir J. F. (Accrington)
Lewis, John Herbert
Lloyd-George, David
Lough, Thomas
Macaleese, Daniel
MacDonnell, Dr MA (Queen's C
MacNeill, John Gordon Swift
M'Dermott, Patrick
M'Ghee, Richard
M'Hugh, Patrick A. (Leitrim)
M'Laren, Charles Benjamin
Molloy, Bernard Charles
Moulton, John Fletcher
Murnaghan, George
Norton, Capt. Cecil William
O'Brien, James F. X. (Cork)
O'Connor, J. (Wicklow, W.)
O'Connor, T. P. (Liverpool)
O'Dowd, John
O'Kelly, James
O'Malley, William
Pease, Joseph A. (Northumb.)
Pickersgill, Edward Hare
Power, Patrick Joseph
Roberts, John Bryn (Eifion)
Samuel, J. (Stockton-on-Tees)
Scott, Chas. Prestwich (Leigh
Sinclair, Capt. John (Forfarsh.
Souttar, Robinson
Sullivan, Donal (Westmeath)
Sullivan, T. D. (Donegal, W.)
Thomas, David Alf. (Merthyr)
Trevelyan, Charles Philips
Weir, James Galloway
Whiteley, George (Stockport
Williams, John Carvell (Notts.
Wilson, Fredk. W. (Norfolk)
Wilson, John (Durham, Mid)
Woods, Samuel
Young, Samuel (Cavan, East)
Yoxall, James Henry

TELLERS FOR THE NOES—
Captain Donelan and Mr.
Flavin.

Amendment proposed—

"In page 1, line 10, after the word 'forty-five,' to insert the word 'annual.'"—(*Mr. T. M. Healy.*)

Question proposed, "That those words be there inserted."

MR. G. W. BALFOUR: I do not think this Amendment is at all necessary, and I think it would be very reasonable to leave the clause as it is.

MR. T. M. HEALY: But I want to know what is the exact meaning of it.

MR. ATKINSON said the Act provided that the annual sum should continue to be paid for only forty-five payments instead of fifty-two, and it was entirely unnecessary to repeat the word "annual."

MR. T. M. HEALY: I beg leave to withdraw my Amendment.

Amendment, by leave, withdrawn.

MR. DILLON said that under the settlement of 1872 the payer of tithe rent-charge had three courses open to him: (1) He could buy the tithe rent-charge at twenty-two and a half years purchase; (2) he could buy it by fifty-two years instalments; or (3) he could agree with the commissioners to pay a sum somewhat larger than that to which he was subject, and have a shorter term fixed than fifty-two years, at the end of which his annuity would expire. He did not know how many acted upon this third plan. The second sub-section proposed to extend to the purchasers of tithe rent-charge who elected to adopt the increased payment to shorten the term, a concession similar to that proposed by the first sub-section to those who adopted twenty-two and a half years annuities. This second sub-section simply proposed to slice off a portion of this fund and distribute it among the supporters of the Government in Ireland. The proposal was utterly indifferent as to doing equal justice between the gentlemen who were to have this distribution. The man who purchased his tithe rent-charge for cash got nothing, and if he bought it for an annuity at not more than thirty years he also got no relief. But if he bought it at less than thirty years he got a concession, and if he bought it at a number of years extending to fifty-two then he got seven years taken off. The Amendment he proposed was to deal with short term annuitants on the same principle as it was proposed to deal with long term annuitants.

Amendment proposed—

"In page 1, line 20, to leave out the word 'ten' and insert the word 'fifteen.'"—(*Mr. Dillon.*)

Question proposed, "That the word 'ten' stand part of the clause."

MR. G. W. BALFOUR said the hon. Member for East Mayo was entirely in error in supposing that the Bill made a distinction between those who purchased for cash and those who made a special arrangement. Those who purchased their tithe rent-charge for cash subsequent to 1872 paid cash less the amount of the poor rate, or in other words they paid for the net tithe rent-charge. If the provisions of this Bill were carried out the same treatment would be meted out to those paying off the charge by means of annuities. The object of the clause was to put those who had contracted for a shorter period upon the same footing as those who had arranged for fifty-two years. The change suggested by this Amendment would place at a disadvantage those who made arrangements to pay off at shorter periods.

MR. DILLON said this was simply begging the whole question. It was contended that for thirty years they had been charged at the rate of fifty-two years when they should only have been charged forty-five years, and now after thirty years these extraordinary statisticians had made this discovery. In regard to the Treasury Minute of 1895 they had been told that there was a complete change in the *personnel*, but up to that hour they had never had a single argument or memorandum to justify that total change of policy. Now they had made this extraordinary discovery, to buy off Lord Ardilaun and the *Dublin Daily Express*. The right hon. Gentleman had not given a single word of explanation in regard to Sub-section 2, which appeared to him to be preposterous, and the whole clause as it stood was most absurd. It was now proposed to make this enormous concession to those who had already been allowed to borrow State money at £3 16s. 3d. per cent. They had already got that advantage over cash buyers, and they were now to get the additional advantage of an enormous reduction in the annuity. He should insist upon pressing his Amendment to a division.

*SERJEANT HEMPHILL: The right hon. Gentleman referred to some speech made by Mr. Gladstone as a ground for saying that there was an actuarial error. I wish to remind the hon. Gentleman that Mr. Gladstone's statement was made in 1869, but what we are dealing with now is what was done by Section 7 of the Irish Church Amendment Act in the year 1872, and there is nothing whatsoever to indicate that that Act was based upon an actuarial or any other error. It is necessary to call the attention of the Committee to the words of that Act, because it shows how very arbitrary this reduction of the interest is to £3 10s. The Act declared the purchase money

payable by instalments for fifty-two years at £4 9s. per cent. on the purchase money, or for such less number of years as might be agreed upon as an equivalent annual sum so as to discharge the principal and interest in a less number of years. That is the provision to which this point has reference. What grounds are there for altering this section and fixing £3 10s. as the arbitrary sum? We have no statistics or figures in regard to these annuities, and here we are asked in this arbitrary way to give the benefit to these persons by introducing this arbitrary figure, for which no reason is assigned. I shall, therefore, vote for this Amendment if it goes to a division.

MR. ARCHDALE (Fermanagh, N.) said he hoped the Chief Secretary would press his opposition to this Amendment. He had not the honour of knowing Lord Ardilaun, but he knew that his Lordship made good and charitable use of his money both in Ireland and in this country. He thought the clause was an attempt to remedy a gross injustice.

MR. T. M. HEALY: The action of the Government in this matter reminds me of bimetallism. One day a member of the Government announces he is in favour of the gold standard, and next day he goes down to Lancashire and receives light on the subject, and then announces he is in favour of the fifteen to one ratio. What I should like to know is, when did the Government receive grace in regard to this gross injustice; when did the light of justice first shine upon their souls? I remember the long line of Chief Secretaries who have preceded the right hon. Gentleman; he has blasphemed them all in this Bill. I have been making a list of the number of English statesmen whom we have been asked to look up to, and to whom I have been asked many times to go down on my intellectual knees. Now I learn that they were wrong all the time, and I am told that when I was asked to respect law and order I was asked to respect a gross injustice and a fraud on the Irish landlords. Here is a list of the Irish Chief Secretaries for the last thirty years: Mr. Fortescue, Sir Michael Hicks Beach, Mr. James Lowther, Mr. Forster, Sir George Trevelyan, Sir H. Campbell-Bannerman, Mr. J. Morley, Sir W. Hart Dyke, Mr. W. H. Smith, Mr. John Morley; again Sir Michael Hicks Beach, Mr. A. J. Balfour, and Mr. John Morley. They have all been engaged in perpetrating a most heinous wrong on a most deserving class of the community, and what is more, an irreparable wrong, because many men sold their land, and did not get full value for it. What about the Duke of Devonshire, who sold land in Cork, and Lord Derby, who sold his estate in the county of Tipperary? Look at the appalling injustice done to them; they gave away their estates, so to speak, with a pound of tea and without any consideration for the seven years compensation now to be made to their successors. The Duke of Devonshire sold his estates, and the man who succeeded to them now gets a seven years bonus, and the Duke has been grievously wronged by the Government of which he is a member. I feel appalled when I think of the black injustice which has been done to the landlords who have endeavoured to get rid of the landlordism by selling their estates. The old stock has gone, and none of them have got the benefit of this seven years bonus. Who was it that discovered this grievance; who was this financial Christopher Columbus who, embarking on the dark seas of finance, discovered it? Is his name to remain silent? Are not the present landlords entitled to know to whom their gratitude is to be given, and are not the men who sold out entitled to know to whom their curses are to be awarded? The right hon. Gentleman has taken it upon himself to reverse the policy of his predecessors; but, at all events, he has given a blow to the famous doctrine that the British Government in Ireland is a continuity. Let every Irish tenant take heart. He may be smarting under unjust laws, and he may be told that it is quite right to pay his rent, but some new Chief Secretary may arise—perhaps in an Irish Parliament—and may be able to announce that he has found salvation, that he has adopted the doctrine of repudiation, and that from the depths of his inner consciousness he finds that the tenants should be relieved of seven years annuity or perhaps seven years payment of rent. If this doctrine is to prevail now, why should it not be enacted later that for seven years every man, woman, and child in Ireland should not be liable for rent, rates, or taxes? There would be just as much reason for that as there is for the provision in this

Bill. Remember that the original Act was an arbitrary one, and no one could say whether the purchase price should be 22½ years or 42½ years. It had to be arrived at in an empirical manner. If it were found that the landlords should have paid forty years purchase, would you bring in a Bill to compel them to make restitution now? Would that not be as sound and logical a proposition as that now made; because, starting as you did from an empirical standard, you now contend that your empiricism was founded on justice. I cannot understand how a man with the logical mind of the right hon. Gentleman can stand up and advance such a proposition without laughing. If I were an English statesman I should say, "I have got a troublesome gang to deal with in Ireland. Lord Ardilaun has bought the *Daily Express*; when the Vice-President of the Board of Agriculture had it things were amicable and pleasant, but now I must give them something." I can thoroughly understand that; but to invent an injustice, and now propose to make up for it in sackcloth and ashes, not at your own expense, but at ours, and to ask us to accept this absurdity is, even for an Irish Member, a little too much. I must say for myself that the only fault I find with the Amendment of the hon. Member for East Mayo is that it is too moderate. I feel inclined to denounce it as giving the whole case away. At all events, whatever may be said for the Amendment, the proposition in the Bill is one which no serious statesman should endeavour to defend.

MR. DILLON: I maintain, after listening carefully to the statement of the right hon. Gentleman, that the second sub-section of this clause will be positive nonsense if this Amendment is not accepted. The whole of this question is very complicated, and must be examined very closely before it is understood. The section applies to men who agreed to buy their tithe rent-charge at twenty-two and a half years purchase. Then came a subsidiary agreement that that twenty-two and a half years purchase should be paid in instalments. For the sake of illustration, let us assume that an agreement was entered into for an annuity extending over thirty-one years. What does the right hon. Gentleman propose to do in that case? If the agreement were made in 1870 the last annuity would be payable next year. He says that the Treasury should go back on this transaction and should recalculate it on the supposition that it was not £3 16s. 3½d. but £3 10s. per cent. that should have been charged, and that the sinking fund should be increased by the difference between the two rates. Is it not perfectly evident that by making such a recalculation the whole principal and interest would have been found to have been paid, and so far from there being an instalment due there would have been an over-payment? And this, forsooth, is to be by way of relief to a man who has already repaid more than the principal. I will read the words of the sub-section—

> "Such annual sum shall continue to be paid until such less number of payments thereof from the date at which it commenced as will pay off the purchase money on the assumption that the annual sum so charged included interest at the rate of £3 10s. per cent. per annum have been made, and no longer."

But if he has more than repaid on the new assumption, what nonsense it is to enact a provision of this kind! What I want to convince the right hon. Gentleman of is—and it is as clear as daylight—that his sub-section is nonsense, and that he is enacting an impossibility, because a man in the case I have mentioned would have already paid his principal, and it is ridiculous to say that the instalments should continue on a debt which has been already paid. When it is found that men have more than repaid there will be a claim for compensation. The real grievance will then arise, and an amending Bill will have to be introduced. Then the persons who bought for cash will say, "Are we to have no compensation?" and their case will be a strong one. It will be no answer to say that the cash buyers bought on the gross, whereas the annuitants bought on the net. That is not a fact. The cash buyers, the short annuitants, and the long annuitants all bought at twenty-two and a half years purchase of the net value, and therefore they all stand in the same position. Now observe the extraordinary position which will arise. A buys a tithe rent-charge and pays in cash twenty-two and a half years purchase; B buys a tithe rent-charge, but does not pay cash. He borrows the money from the Government at £3 16s. 3½d. per cent., and how, by the simple fact that B has borrowed money from the Government, can he

have suffered any greater injustice than A, who paid cash? The argument is perfectly ridiculous. The difficulty we have to contend with is to get into the minds of hon. Members the grotesque monstrosity of this proposal. I am convinced that if hon. Members really understood these proposals the Bill would be defeated by three to one. But the fact is it is not understood. I maintain that unless this Amendment is accepted the sub-section will be nonsense, and that it will be found that it cannot be worked at all in some cases, and that it will work so unjustly in other cases that an amending Bill will be needed.

MR. SWIFT MACNEILL said the Treasury Bench was deserted by all the Government except the Attorney General for Ireland, who, however, knew far better than he did the utter absurdity of this Bill. It represented fraud and dishonesty, and the absolute ignorance of the gentleman who drafted it insulted the intelligence of Parliament. Anyone who read the second sub-section of Clause 1 would see clearly that a man who had been paying at the rate of £3 16s. 6d. since 1872 must have long since paid all the principal, and all the interest; and the absurdity of this clause was that he was to go on still paying. But the clause was something more than arrant absurdity; it was downright dishonesty, and amounted to the repudiation by the State itself of contracts. The Government had no right to misuse public property as they were doing under this clause. They were giving a large donation out of the public funds to various parties who were supposed to pay for their own interests. An honest man who got the payment of his just debt at the expense of the community ought to give this money to the Chancellor of the Exchequer as conscience money. The idea that Parliament was omnipotent was true, but there were moral grounds on which this bargain ought not to be made; it was a gross fraud. He asked the right hon. Gentleman whether he could point to any instance, since the Revolution, of Parliament repudiating debts and cancelling obligations. He knew of no case on the Statute Book where, when a tenant had entered, under the provisions of an Act of Parliament, into a solemn contract with the State to pay a certain sum of money at £3 16s. 6d. per cent., thirty years after the contract was made the interest should be reduced to £3 10s.

MR. G. W. BALFOUR: It has been done in the case of the Church glebe tenants.

MR. SWIFT MACNEILL said that that was the exception which proved the rule. When was the error discovered? When was the remarkable change in the *personnel* of the Treasury officials, which resulted in the discovery? It was an afterthought. It was never mooted for thirty years, and then, when there was no necessity, Parliament stepped in to relieve, not the poverty-stricken tenant, but Lord Ardilaun, at the expense of the Irish Church Fund. He supported most strongly the Amendment before the House, and he hoped it would be pressed to a division. When the clause came on for discussion he would denounce the policy of the clause, and show how the Irish Church Fund had been misappropriated for the benefit of the Irish landlords. The right hon. Gentleman had intimated that the Bill was to rectify a fin an ial fraud. That fraud had been undiscovered by Lord Ardilaun and other landlords, but it had been discovered by a Treasury official in the back parlours of the Treasury Office, and must be rectified. The right hon. Gentleman had decided to rectify this error. Would he go further and rectify the other error committed by the Treasury officials, by which the Irish people had been robbed of three and a half millions of money? That error would not be rectified, because it would have to be rectified at the expense of the British taxpayer; but the error which this Bill was to rectify would be rectified, because the cost would fall upon the Irish Church Fund. The sub-section was a mass of legal jargon, and, in his opinion, had the provisions of the Bill been perused by the House at large it would have been entirely repudiated.

MR. CALDWELL (Lanarkshire, Mid) said that the Government had always acted on the basis of the sanctity of contract, and he now wished to know whether the principle of sanctity of contract was to be given up. The right hon. Gentleman the Chief Secretary had alluded to the case of the Irish Church glebe tenants, in which it had been given up, but that was an entirely different case to the question of tithes. They were occupying tenants, and when relief was given to them it was

obvious there was a special reason for giving it. Then, again, if the Government took the other case, no argument could be based upon it, because it was the Government's own doing. The Government stated in the House a few years previously that they could not reduce a contract that had been entered into with Parliament. That was stated over and over again in another place by Lord Salisbury, and yet it was this Government which started the principle of making the reduction and doing away with the contract as well. The reason for the special reduction in the case of the occupying landlord was a very different matter, because in that case the tenant comprised the positions of landlord and tenant. Those who took advantage of a number of years purchase under the Land Act were landlords as well as occupying tenants, and it was in the combined capacity that they received the concession, and the Government mitigated the contract. If this present reduction was not put upon the ground of exceptional circumstances, which was the only warrant at all for giving a reduction, by statute, to the tenant, effect would be given to a principle far-reaching in its consequences, which could not be confined to Ireland. That principle was that if parties agreed to pay a certain sum of money under a contract to the State, Parliament could come some time afterwards and make alterations in the terms, although in the interval some other person had come forward and paid the sum in cash.

MR. G. W. BALFOUR: Might I ask, on a point of order, whether this has any reference whatever to the Amendment before the Committee.

*THE CHAIRMAN: I think the hon. Gentleman is somewhat trespassing beyond the Amendment before the Committee.

MR. CALDWELL said that his point was that by Act of Parliament £3 16s. 6d. per cent. was fixed as the amount to be paid by the parties, and it was now proposed to reduce that amount to £3 10s. If the right hon. Gentleman thought by such interruptions as he had made he would shorten the debate he might find that he was mistaken. He could find no precedent for such a reduction except in the case of the Irish Church Glebe tenants. There was no case on record, neither in Scotland nor in England, and the Committee was entitled to say that the Government could not violate a contract entered into under an Act of Parliament. Was the principle of sanctity of contract to be given up? Was this to apply to every case? If not, the Government should make out a case of the exceptional circumstances which justified it in this instance. They were dealing with parties in possession of land upon which there was a first charge. It had no relation whatever to the profits of the land or what is taken off it. The charge having been made a fixed one, was there any case where the owner could not plead poverty in which this principle could be applied? The Government did not propose to give any such relief to England or Scotland, and the Committee were entitled to ask whether the Government proposed to apply this principle to persons who could not make out a special case.

MR. T. M. HEALY said he had asked for an explanation for the action of the Government, but had failed to elicit a reply. On thinking the matter out he had arrived at a solution of the problem. He had come to the conclusion that Mr. Gladstone was the only statesman who could have repudiated the suggestion that the Government had made an error, and the Government had not thought it safe to bring in the Bill until Mr. Gladstone had died. He had just received a letter which illustrated the manner in which tenants were treated in Ireland in contrast to the landlords. The Local Government Act relieved the landlords of all rates in the Corofin division of Tipperary, and the Local Government Board had just struck a rate of 9s. 6d. in the pound. The people wondered what it was for, and were told that the reason was that for nine or ten years the debt had been accruing, and it now had to be paid off. The Local Government Board did not discover it until the landlords were relieved of the rates. The landlords were entitled to pay that debt for the last eight or nine years, and he wished now to ask the Government whether they would make any provision for the payment of the amount which ought to have been paid by the landlords in the seven or eight years past, and which is now put on the shoulders of the people of the Corofin division of Tipperary. They applied to the Local Government Board

to extend the time of payment to two years, but the Local Government Board refused. If the Government were anxious to relieve one error in the case of the landlords, why were they not anxious to act in a similar manner for the relief of the tenant? He thought the attitude taken by the right hon. Gentleman on this Bill was simply deplorable. On other occasions he had been able to give reasons for his attitude, but on the present occasion he had failed to answer any argument which had been put to him.

MR. MURNAGHAN, who was very indistinctly heard, was understood to say that the right hon. Gentleman had given no solid reason which would satisfy the Committee for the reductions he proposed to make by this Bill. His one point was that a mistake had been made, and would have to be rectified. The Committee had no means of verifying that fact, and it was only right that further information should be given. The right hon. Gentleman proposed to give a certain reduction on delayed payments for purchase. The man who had raised the money to pay off his indebtedness in thirty years received benefit, but the man who arranged to pay in fifty-two years benefited to the extent of the reduction of seven yearly instalments. The Irish Members were not satisfied with the figures of the right hon. Gentleman, and they were within their rights in protesting against such procedure. The right hon. Gentleman could do in this matter what he had done with the first part of the clause—he could postpone it for further consideration. He did not dispute that the right hon. Gentleman was doing all he could to act in a perfectly fair manner, but in the interest of one class——

*THE CHAIRMAN: Order, order! The hon. Gentleman is wandering from the Amendment.

MR. SWIFT MACNEILL: On a point of order, is not my hon. friend entitled to show, when largess is given to a certain class, how that largess might be better expended?

*THE CHAIRMAN: No doubt the hon. Gentleman is a better judge than myself of these matters, but in my opinion the hon. Gentleman who was addressing the Committee was irrelevant.

Mr. T. M. Healy.

MR. MURNAGHAN said he objected to the right hon. Gentleman putting his hand into the pockets of the Irish people and taking money out of the Church Fund not for a public purpose. The Irish Members were entitled to have some reply from the right hon. Gentleman to the arguments which had been urged on behalf of those whom they represented. If no reply was given, they could only test the matter by a division.

MR. SWIFT MACNEILL said the Amendment was one under which certain reductions were to be made. He begged to remind the right hon. Gentleman the Chief Secretary that he was not the financial authority on Irish questions. He complained that, although this was a financial question, neither the Chancellor of the Exchequer nor the Secretary to the Treasury were present to consider it. And their absence showed that they were neglecting their duties. [Laughter.] It was no laughing matter, except to those hon. Members opposite who were going to gain from it. It was a most unheard of procedure when a finance measure of this kind was under discussion, that some one was not present to defend the financial policy put forward by the Amendment. Since the Amendment had been moved, the words "financial fraud" and "Treasury fraud" had been freely used. Yet nobody was present to speak for the Treasury or for the Solomon in the Treasury who had discovered the error. It was not the place of the right hon. Gentleman to do so, he had done his duty when he had moved the clause. Under the circumstances, he begged leave to move to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress; and ask leave to sit again."—(*Mr. MacNeill.*) But the Chairman, being of opinion that the motion was an abuse of the Rules of the House, declined to propose the Question thereon to the Committee.

MR. MCKENNA (Monmouthshire, N.): I should be very glad to have some explanation why this particular sum of £3 10s. per cent. is taken as the annual charge for interest. There must be some particular reason why that sum is taken.

MR. G. W. BALFOUR: The general principle of this Bill was discussed very fully on the Second Reading, it was discussed again on the Amendment moved by the hon. Member for East Mayo, and again on this Amendment. We have had notice of another Amendment by the hon. Member for East Mayo. That has been my reason for not going fully into this matter.

MR. DILLON: I must say that it is an extraordinary position for the Chief Secretary to take up. I submit that the clause, as it stands, is nonsense and cannot be worked. In some cases it would cause gross injustice, and in other cases it would be absolutely unworkable.

MR. G. W. BALFOUR: The hon. Member is quite wrong. I may further say that the Amendment to reduce the rate of interest is certainly open to objection.

MR. DILLON: I submit that my case is made out by the admission of the Chief Secretary himself—absolutely and without any question or doubt. The whole purpose of the Bill is to benefit the landlords. There is no other justification of the Bill. They say now that a man who has arranged—and this I am sure would be the case in a great many instances—to repay his loan for the purchase of his tithes, by instalments terminating in thirty-five years under the operation of this sub-section, if this new arrangement is accepted, will get four or five annual instalments knocked off, and another man who has arranged to pay the tithe loan in thirty-one instalments will get the next year's instalment knocked off, although under this new term of interest he may have repaid considerably more than the whole of his loan. Are we to be told seriously that men under these circumstances will sit down content, and that you will not be face to face with the clamour—I must say the justifiable clamour—of those treated in this fashion? Nothing at all is to be paid to the man who has put his hand in his own pocket. I maintain that my contention has not been answered, nor even attempted to be answered, by the representatives of the Government, and that the clause as it stands without my Amendment is nonsense. It will be unworkable in some cases, and in other cases it will work gross injustice.

Question put.

The Committee divided:—Ayes, 126; Noes, 84. (Division List No. 171.)

AYES.

Archdale, Edward Mervyn
Arnold-Forster, Hugh O.
Ashmead-Bartlett, Sir Ellis
Atkinson, Rt. Hon. John
Baird, John George Alexander
Balcarres, Lord
Balfour, Rt. Hn. A. J. (Manch'r)
Balfour, Rt Hn Gerald W (Leeds
Banbury, Frederick George
Barry, Rt. Hn. A. H. S. (Hunts.)
Beach, Rt. Hn. Sir M. H. (Bristol
Beckett, Ernest William
Blakiston-Houston, John
Boscawen, Arthur Griffith-
Brymer, William Ernest
Bullard, Sir Harry
Butcher, John George
Carson, Rt. Hon. Sir Edw. H.
Cavendish, R. F. (N. Lancs.)
Cavendish, V. C. W (Derbyshire
Chamberlain, Rt. Hn. J. (Birm.)
Chamberlain, J. Austen (Worc.
Chaplin, Rt. Hon. Henry
Charrington, Spencer
Clare, Octavius Leigh
Coghill, Douglas Harry
Collings, Rt. Hon. Jesse
Colomb, Sir John Charles Ready
Colston, Chas. E. H. Athole
Corbett, A. C. (Glasgow)
Cornwallis, Fiennes Stanley W.
Cox, Irwin E. Bainbridge
Cross, Herbert S. (Bolton)
Curzon, Viscount
Dalkeith, Earl of
Dickinson, Robert Edmond
Douglas, Rt. Hon. A. Akers-
Dyke, Rt. Hon. Sir Wm. Hart
Fellowes, Hon. Ailwyn Edw.
Finch, George H.
Finlay, Sir Robert Bannatyne
Fisher, William Hayes
FitzGerald, Sir Robert Penrose-
Gibbons, J. Lloyd
Goldsworthy, Major-General
Gordon, Hon. John Edward
Gorst, Rt. Hon. Sir J. Eldon
Goschen, Rt Hn G. J (St George's
Goulding, Edward Alfred
Green, Walford D (Wednesbu'y
Greville, Hon. Ronald
Hamilton, Rt. Hon. Lord George
Hanbury, Rt. Hon. Robert Wm.
Hanson, Sir Reginald
Helder, Augustus
Henderson, Alexander
Hoare, Sir Samuel (Norwich)
Hornby, Sir William Henry
Howard, Joseph
Hudson, George Bickersteth
Hutton, John (Yorks, N. R.)
Johnston, William (Belfast)
Kenyon, James
King, Sir Henry Seymour
Knowles, Lees
Lecky, Rt. Hn. William Edw. H
Llewelyn, Sir Dillwyn- (Swans.
Loder, Gerald Walter Erskine
Long, Rt. Hn Walter (Liverpool
Lopes, Henry Yarde Buller
Lowe, Francis William
Lowles, John
Lucas-Shadwell, William
Macartney, W. G. Ellison
Macdona, John Cumming
Maclure, Sir J. William
M'Arthur, Charles (Liverpool)
M'Calmont, Col. J. (Antrim, E.)
M'Killop, James
Malcolm, Ian
Mellor, Colonel (Lancashire)
Melville, Beresford Valentine
Meysey-Thompson, Sir H. M.
Moore, William (Antrim, N.)

More, Robt. Jasper (Shropsh.)
Morrison, Walter
Murray, C. J. (Coventry)
Murray, Col. Wyndham (Bath)
Myers, William Henry
O'Neill, Hon. Robert Torrens
Parkes, Ebenezer
Pease, H. Pike (Darlington)
Peel, Hn. William R. Wellesley
Percy, Earl
Phillpotts, Captain Arthur
Platt-Higgins, Frederick
Plunkett, Rt. Hn Horace Curz'n
Purvis, Robert
Rentoul, James Alexander
Richards, Henry Charles
Ridley, Rt. Hn. Sir Matthew W.
Robertson, Herbert (Hackney)
Russell, T. W. (Tyrone)
Saunderson, Rt. Hn. Col. E. J.
Seely, Charles Hilton
Sharpe, William Edward T.
Sidebotham, J. W. (Cheshire)
Sidebottom, Wm. (Derbysh.)
Smith, J. Parker (Lanarks.)
Stock, James Henry
Talbot, Rt Hn J. G. (Oxf'd Univ.)
Thorburn, Sir Walter
Tollemache, Henry James
Tomlinson, Wm. Edw. Murray
Wanklyn, James Leslie
Warde, Lieut.-Col. C. E. (Kent)
Warr, Augustus Frederick
Wentworth, Bruce C. Vernon-
Whiteley, H. (Ashton-under-L.
Williams, J. Powell- (Birm.)
Willoughby de Eresby, Lord
Willox, Sir John Archibald
Wodehouse, Rt. Hn. E. R. (Bath
Wylie, Alexander
Wyndham, George
Young, Commander (Berks, E.)

TELLERS FOR THE AYES—
Sir William Walrond and
Mr. Anstruther.

NOES.

Abraham, Wm. (Cork, N.E.)
Austin, M. (Limerick, W.)
Bayley, Thomas (Derbyshire)
Billson, Alfred
Bolton, Thomas Dolling
Broadhurst, Henry
Burt, Thomas
Caldwell, James
Carew, James Laurence
Carvill, Patrick G. Hamilton
Clancy, John Joseph
Courtney, Rt. Hon. L. H.
Curran, Thomas B. (Donegal)
Daly, James
Dalziel, James Henry
Dillon, John
Doogar, P. C.
Douglas, Charles M. (Lanark)
Duckworth, James
Emmott, Alfred
Engledew, Charles John
Esmonde, Sir Thomas
Evershed, Sydney
Fenwick, Charles
Flavin, Michael Joseph
Flynn, James Christopher
Gladstone, Rt. Hn. Herbert Jn.
Gourley, Sir E. Temperley
Hemphill, Rt. Hn. Charles H.
Holland, William Henry
Horniman, Frederick John
Jameson, Major J. Eustace
Jones, Wm. (Carnarvonshire)
Kitson, Sir James
Leese, Sir J. F. (Accrington)
Lough, Thomas
Macaleese, Daniel
MacDonnell, Dr. M. A. (Qn.'s C.
MacNeill, John Gordon Swift
M'Crae, George
M'Dermott, Patrick
M'Ghee, Richard
M'Hugh, Patrick A. (Leitrim)
M'Kenna, Reginald
M'Laren, Charles Benjamin
Molloy, Bernard Charles
Morton, Edw. J. C. (Devonport)
Murnaghan, George
Norton, Capt. Cecil William
Nussey, Thomas Willans
O'Brien, James F. X. (Cork)
O'Connor, Jas. (Wicklow, W.)
O'Connor, T. P. (Liverpool)
O'Dowd, John
O'Kelly, James
O'Malley, William
Pease, Joseph A. (Northumb.)
Pickersgill, Edward Hare
Power, Patrick Joseph
Priestley, Briggs
Provand, Andrew Dryburgh
Redmond, J. E. (Waterford)
Richardson, J. (Durham, S.E.)
Roberts, J. Bryn (Eifion)
Robertson, Herbert (Hackney
Samuel, J. (Stockton on Tees)
Scott, C. Prestwich (Leigh)
Sinclair, Capt. J. (Forfarshire
Souttar, Robinson
Sullivan, Donal (Westmeath)
Sullivan, T. D. (Donegal, W.)
Thomas, A. (Glamorgan, E.)
Thomas, David A. (Merthyr)
Trevelyan, Charles Philips
Walton, Joseph (Barnsley)
Whiteley, George (Stockport)
Williams, John Carvell (Notts)
Wilson, Frederick W. (Norfolk
Wilson, J. (Durham, Mid)
Wilson, John (Govan)
Woodhouse, Sir J. T. (Hud'rsf'd
Woods, Samuel
Young, Samuel (Cavan, East)
Yoxall, James Henry

TELLERS FOR THE NOES—
Captain Donelan and Mr.
Patrick O'Brien.

Question proposed, "That Clause 1 stand part of the Bill."

MR. DILLON: We now come to the serious question that Clause 1 stand part of the Bill. I shall endeavour to bring clearly before the minds of hon. Members what they are called upon to do by passing this clause. There are two main headings under which the considerations affecting this clause naturally fall. The first of these headings is the question whether there is really any grievance on the part of Irish landlords, and whether, under the arrangements which this clause proposes to break up, the Irish landlords were generously treated, and entered into a voluntary bargain, without any kind of compulsion. The second heading is what will be the financial effect on the Church Fund if this clause is passed into law. First of all I turn to the question of the grievance under which the Irish landlords are alleged to suffer, and to meet which this extraordinary proposal is submitted to the House. That grievance is, as I said in the earlier stages of this debate, based on the extraordinary claim that Mr. Gladstone while he was passing the Church Act through this House made a miscalculation, that the whole House condoned that miscalculation, and that the spokesmen of the Irish landlords in that day in the long debates which took place

on the Church Act, and particularly Clause 32, never discovered that they were the victims of a Treasury miscalculation, and that they swallowed this settlement, as I shall prove they swallowed it, with every appearance of satisfaction, and in absolute ignorance of the fact that they were being made to pay seven years instalments more than were just. The Attorney General based his case entirely on the famous speech made by Mr. Gladstone when proposing the First Reading of the Church Act. I regret to say that I shall be obliged to quote at some little length from that speech, because it has been the basis of the whole of this discussion. He came to that portion of his Bill which dealt with the disposition of the tithe rent-charge, and he announced that it was his intention to offer the tithe rent-charge to the landlords of Ireland at twenty-two and a half years purchase. Mr. Gladstone said*—

"That is, of course, twenty-two and a-half years purchase, not of the old gross £100, but of the £75 a year. We make that offer because we think there may be landlords in Ireland who will be disposed at once to wind up the arrangement with us. But, if Gentlemen will listen to me, they will see that we have another alternative for those who may not be disposed to purchase the tithe rent-charge out and out in money down at 22½ years purchase. It is this: we make them a compulsory sale."

I would ask hon. Members to bear this in mind. This was the alternative proposed in the Church Bill. Mr. Gladstone continued—

"I have not the least idea anyone will object to that. We convey the tithe rent-charge to them under the following conditions. We charge them in our book with £2,250 for every net £100 a year tithe rent-charge; that is to say we sell them a tithe rent-charge at a rate to yield them 4½ per cent. We then credit them on the other side with a loan of equal amount. We provide that they shall pay off that loan by annual instalments with interest. The rate of interest to be charged on the instalment is 3½ per cent. The consequence is that a fund of 1 per cent. will remain as a sinking fund to absorb the principal. The purchaser of the tithe rent-charge in that form, except that he will get rid of the fluctuation—for we must give him a fixed amount—will not be called upon to make any addition whatever to his annual payment. He will be liable for the annual payment for a term of forty-five years, and at the close of the term he will under this arrangement have the rent-charge, whatever it may be for the residue of the time, for nothing. That will be the financial effect of the arrangement, which, I think, will not be bad for the Irish landlord."

It is on that speech of Mr. Gladstone's that the whole case of the Government rests. That was a speech made while introducing the Church Bill in its original form, when it was proposed to sell the tithe rent-charge to the landlords either for cash at twenty-two and a half years purchase, or for twenty-two and a half years purchase of the land to the tithe-payer, the amount of the purchase money to be paid by forty-five annual instalments at the rate of £4 10s. per annum on the purchase money. What happened? When the Church Bill was introduced in Committee the famous Clause 32 of the Bill was altered and appeared in a different shape—in the shape in which it now stands. That is an important point to remember. It was then proposed to sell the tithe rent-charge at the same number of years purchase—twenty-two and a half years—but the landlords were allowed to deduct from the tithe rent-charge under the new arrangement what they had paid on the average of the last five years for poor rate, which, under the Poor Rate Act of 1838, they had the power to deduct from the tithe rent-charge. Therefore the actual amount was reduced by a considerable poundage. I daresay it averaged half-a-crown in the pound, and the annual instalment was reduced from £4 10s. per cent. to £4 9s., and the instalments were extended to fifty-two years instead of forty-five years. That was in the second form of Clause 32 as introduced in the Committee on the Church Act. I desire to emphasise what Mr. Gladstone said as to the amount of the interest on which the money to purchase the tithes was to be lent. That had disappeared out of the calculation altogether, and it was proposed that the tithe should be extinguished in the case of those not ready to pay by fifty-two annual instalments calculated at £4 9s. per cent. on the amount of twenty-two and a half years purchase of the net tithe rent-charge as distinguished from the gross, being the tithe rent-charge less the amount for poor rate. This second proposal was substituted for the previous proposal, and in the course of the long debate on Clause 32 no complaint was made on behalf of the Irish

* See *The Parliamentary Debates* [Third Series], Vol. cxciv., p. 448.

landlords as to the change proposed. I am indignant to find the landlords—who allege that there was a miscalculation and misunderstanding, which is absolutely without foundation—going back on the speech of Mr. Gladstone introducing the Bill originally, and utterly ignoring the debate on Clause 32 in the amended form, that clause being in substitution of the proposal in the Bill as it originally stood. What we have to deal with is the proposal in Clause 32 as it appeared before the Committee on the Church Bill. The first observation I have to make in regard to the proposal in Clause 32 is this. Suppose that there had been a miscalculation, or suppose that the terms of Clause 32 as finally debated in the House were less favourable to the Irish landlords than the original terms proposed in the first draft of the Irish Church Bill, am I to be told for a single moment that the landlords in this House would not have made a strong demand upon the Government to give them better terms? But in the whole course of the discussion no such contention was put forward, as far as I can find out, on behalf of the Irish landlords. On the contrary, as I shall show beyond all question, the proposal of the Government was accepted by all parties—Liberals, Radicals, and landlords—as a gift to the Irish landlords in order to mitigate their opposition to the Bill. That proposal, which was dealt with in the discussions as a gift to the landlords, was not the original proposal to which Mr. Gladstone's speech referrred in introducing the Bill. I have already alluded to some of the language which was used in the course of the debate on Clause 32. Here is what Mr. Gladstone himself said, "It was that consideration of policy which led the Government." What I want to direct the attention of the Committee to is that Mr. Gladstone's speech in defending the fifty-two years was a speech of apology against the attacks of Mr. Disraeli and the present Chancellor of the Exchequer. The present Chancellor of the Exchequer said, in answer to Mr. Gladstone's defence of the 3½ per cent.——

MR. G. W. BALFOUR: What authority has the hon. Gentleman for saying the interest was 3½ per cent.?

MR. DILLON: What authority have I? Does the right hon. Gentleman deny that it is so? Does he mean to tell me that when Mr. Gladstone introduced a proposal to extinguish this sum of money by fifty-two annual payments of £4 9s. per cent. he did not know that it involved an interest of £31 6s. 3d.? You may say that Mr. Gladstone's politics were false and that his principles of finance were faulty, but this is the first time I have ever heard it suggested that he could not work out such a simple sum as that. Such a supposition is grotesque in the extreme. But mark what it involves. It means that not only were Mr. Gladstone and the Treasury deceived, but every Member of the House of Commons was deceived. Dealing with this proposal, the present Chancellor of the Exchequer said*—

"He yielded to no one in the force of his objections to many of the tenets of the Roman Catholic religion, and he could not witness with entire approval the payments to Maynooth. But he would rather see the whole of this tithe rent-charge devoted to the purposes of the Roman Catholic religion, than see it taken from the Church and appropriated to purely secular objects. In his opinion the proposal of the Government combined sacrilege with bribery. These were strong words, but nothing less strong would express his feelings. He believed it was sacrilege because it was taking away from the Church property to which the State had no right, and devoting it to secular purposes and bribery; also because it was admitted to secure the consent of the landlords by handing over to them the property upon terms making the transfer a gift and not a sale."

Then we come to Sir Frederick Heygate, the Member for Derry, one of the leading members of the landlord party—

"He quite agreed with his hon. friend Sir Michael Hicks Beach that the clause was nothing less than bribery and sacrilege. The Irish landlords were, in fact, asked to take a bribe and assist the Government to pass the Bill."

Then comes Colonel Barttelot, who also denounced the proposal; and I must read an extract from the speech of one who was as great an authority on finance as anybody in his day—the late Mr. Fawcett. He said—

"He was astonished when he heard the

* This and the succeeding quotations are from *The Parliamentary Debates* [Third Series], Vol. cxcvi. The debate on clause 32 commences at page 23 of that volume.

proposition made; he had consulted distinguished Members of the House about it, and they said: 'We know it is making an enormous present to Irish landlords, but we must do something to grease the wheels, to conciliate hostility and buy off opposition.'"

The reason I have referred to and quoted these speeches again is to make it perfectly clear that all these statements made in the course of the debate on Clause 32 had reference to the proposal which is now in force and is the law of the land, and that they had no reference to any proposal of 3½ per cent. for forty-five annual instalments. In his opening remarks the present Chancellor of the Exchequer put this point remarkably clearly—

"The second part of the clause, the omission of which was moved, consisted of a financial process under which the landlords would, for 52 years, continue to pay to the State the exact sum which they had hitherto paid to the Church; and at the end of that time would in reality obtain the tithe rent-charge as a gift."

There was no doubt about it in the minds of the House, and in the face of these statements it is perfectly monstrous to talk about a miscalculation. Notwithstanding the appeals of Mr. Gladstone, which were not on logical grounds or grounds of finance, but on grounds of policy and expediency, Mr. Fawcett and other leading Radicals divided against the clause on the ground that it was too favourable to the landlords and that it gave away public funds to private individuals. What was the result? In that division every single Irish landlord in this House voted in favour of the clause. I repeat that in the whole history of that Act there is not the slightest shred of justification for the contention that there was any miscalculation or possibility of misunderstanding. What happened afterwards? Clause 32 made to the Irish landlords an offer which they eagerly accepted. There was no compulsion; they were absolutely free to accept the terms or to remain as they were. It is said that under the Act of 1872 the right to vary which was still retained by those who did not redeem was annulled. My answer to that is that that clause of the Act of 1872 passed through both Houses without a single word of protest or objection from any Irish landlord, and, seeing that in those days the representation of Ireland both in the House of Lords and in the House of Commons was almost entirely in the hands of the Irish landlords, it is an absurdity to argue that they were not a party to that enactment when they allowed it to pass through without protest. They were parties to it because the right of varying tithes in Ireland was practically a nullity. That right had been so fenced round with difficulties that, during the thirty years which had intervened since the settlement, out of 2,400 parishes the tithes had been varied in only sixty. One reason the landlords permitted the Act of 1872 to pass was that it was thought the variation might do them more harm than good, but the main reason was that it was a matter of indifference, because it was a right they never exercised. When the Government contend that the landlords of Ireland, in accepting the Act of 1872 as part and parcel of the settlement under the Church Act, were not making a bargain, they are speaking against the facts of the case. No clearer case of Parliamentary bargaining was ever put on record in this House. But the question of variability as affected by the Act of 1872 has no bearing on the present proposal. This clause does not deal with the variable tithe rent charge, but with the invariable terminable annuities, and those invariable terminable annuities were set up by the landlords availing themselves of the terms of Clause 32, which were admitted by everybody to be in the nature of a gift and a bribe to the landlords. I turn now to the effect of this proposal on the Church Fund. First of all I will direct attention to a very remarkable debate which took place in this House in 1894. The Church Fund is a very extraordinary fund; it reminds one of the widow's cruse—it has frequently been said to be exhausted, and still millions can be drawn from it. In 1894 the right hon. Gentleman the Member for Montrose brought in a Bill to reinstate the evicted Irish tenants, and in connection with that Bill it was proposed to lay a charge of £100,000 on the Irish Church Fund for the purpose of facilitating that operation. On the first reading of the Bill the First Lord of the Treasury got up immediately after the right hon. Gentleman proposed the Bill, and made a very impassioned

speech, in the course of which he used the following language*—

"Following the order of the right hon. Gentleman's explanation, I now come to the amount to be taken from the Irish Church surplus in order to meet the necessities of the Bill. I have no observations to make on that point. First, when I was in office, and had official means of information on those points, I was assured that the Irish Church surplus was mortgaged up to the hilt. The number of charges upon it were such that, after we had taken the £1,500,000 required for the Congested Board, practically nothing would be left behind. Whether since that time any circumstances have come to the knowledge of the Treasury, the right hon. Gentleman will inform me at a later stage of the Bill; but my official advisers at that time informed me that nothing beyond the £1,500,000 was available for any public purpose; and if we are to charge that fund with £100,000, or with a larger sum, and the fund proves to be insufficient to meet the liability, it will be impossible for the British taxpayer to flatter himself that he will get off without having to make up the deficiency."

The soul of the First Lord of the Treasury was wrung with anxiety, fearing the contingent liability on the British taxpayer. Since then we have had a Bill setting up in Ireland a Department of Agriculture, by which the Church Fund is charged with £70,000 a year, which, I make out, is the interest on about £2,700,000. We are now invited to hand over from this fund to the landlords £1,200,000 in cash, and furthermore to reduce the income of the fund by about £30,000 a year, or to hand over to the landlords over £2,000,000 more. That is to say, that more than £4,000,000 are to be charged upon this fund, which, according to the First Lord of the Treasury, could not bear an additional charge of £100,000 in 1894. The next point is the Treasury Memorandum of 1895, which was drawn up in connection with the proposal to reduce the selling price of tithe rent-charge in the case of sales under the Land Purchase Acts. This Memorandum at great length pointed out as one of the main grounds for refusing to give the Treasury consent to this proposal of the Land Commission that the Irish Church Fund would be made bankrupt by such consent. The Treasury Memorandum states that the calculation of the Land Commission was that such consent would involve a loss of over £800,000 to the Church Fund. The proposal of the Land Commission was that, whereas in all sales up to that date they were obliged to redeem tithe rent-charge at twenty-two and a half years purchase, they should in future be allowed to redeem it at twenty years purchase, and also be allowed to redeem the perpetual annuities on a basis of forty-five years payments instead of fifty-two. It was argued by the Treasury that such a proposal would involve a loss of over £800,000, and that the Church Fund could not bear such a loss. But then, within six months, overriding its own decision and argument, the Treasury granted its consent, so that in addition to the sums I have mentioned, there is this possible loss of £800,000. Where are we as regards the solvency of the Church Fund? When the Government were pressed on this matter last year they prepared a fresh Memorandum to show that the Church Fund was solvent, and a most extraordinary document it is. In the first place, the Memorandum declares that they abandon all attempt to estimate the assets or liabilities of the fund, and then it goes on to say that the estimate which is given of the receipts and liabilities of the fund for the next forty-five years is made up on the supposition that no more sales occur in the Land Courts. I contend that that is turning our whole discussion into a perfect farce. All Ireland are in favour of expediting sales in the Land Courts; they are going on now at the rate of £2,000,000 or £3,000,000 worth of property per annum, and there is growing up in Ireland a strong agitation for some means of greatly facilitating this process of sale, and yet we are invited to discuss this whole subject and consider the capacity of the Church Fund to stand this charge on the supposition that the sales in the Land Courts stop, and that no further sales are effected. A more grotesque and extraordinary theory was never placed before Parliament. Having made that impossible assumption, they proceed to make an estimate of the condition of the fund during the next forty years. What does it come to? They attempt to show that, even supposing the present Bill passes into law, the fund will remain solvent until the year 1946-47 with a very small surplus, and that after that date it will probably be necessary to seriously diminish the provision made for the Agricultural Department. This gift to the landlords will seriously diminish the Irish Church Fund, and will affect the grant to the Agricul-

* See *The Parliamentary Debates* [Fourth Series], Vol. xxiii., page 886.

tural Department. This is an extraordinary instance of the recklessness of the Government, for having started a department to which they attach enormous importance for instructing Irishmen in the art of agriculture, and having given us the hope that if it is successful a further sum will be granted, the Government now come forward with a proposal to take a further sum from that very fund from which the agricultural grant is drawn. Does the right hon. Gentleman anticipate that the Purchase Acts will cease to operate? In the Bill of 1896 a great concession was made to the Irish landlords. Under Clause 37 of that Act the Land Commission had the power to order the redemption of the tithe rent-charge in case of sale to the tenant at twenty years purchase and to order the redemption on the basis of forty-five years instalments. That involved a loss of £850,000; but still it was an inducement to sell. Under that concession a landlord had a bonus for selling an estate to his tenant. If he sold his estate he could redeem the tithe rent-charge at twenty years purchase, but if he did not sell he could only redeem the tithe rent-charge at twenty-two and a half years purchase. If the landlord sold his estate he could redeem at forty-five years instalments, and if he did not sell the period would be fifty-two years. I admit it was an inroad on public funds for the benefit of the landlords, but it had this advantage, that it was a bribe to facilitate sale. The Government now propose to block and obstruct this process of sale, because they withdraw by this clause from the landlords the inducement to sell which existed under the Act of 1896. So far as this clause has any effect it will have a tendency to withdraw from the Irish landlords that inducement to sell their estates which existed before. Therefore the Government have no ground or argument in support of the present proposal in what was done in 1896. This clause is simply a shameless attempt to take a large portion of the public funds in order to hand it over to the landlords of Ireland. Before finally moving the rejection of this clause, I want to appeal to the Government, if they do consider it necessary to hand over this money, to at least take it from the profits which the Treasury has made by lending money at 3½ per cent. to the Irish Church Fund. The Treasury must have made a profit of something like £1,000,000 by this process. If they adopted this course they would not be depriving the Irish people of money which could be devoted to much more useful purposes.

MR. G. W. BALFOUR said the hon. Member had admitted that the question was a very complicated one, but he had evidently failed to understand it. The case of the Government was strengthened by the fact that while the hon. Member for East Mayo had referred at length to the provisions of the Irish Church Act of 1869 he had scarcely mentioned the Act of 1872 at all. The hon. Member had left out of account altogether the fact that landlords were entitled to deduct the poor rate before paying the tithe, and in his estimate of the capital value of the tithe he had based his calculation upon the gross tithe rent-charge and not upon the net value. Therefore the value would be rather more than £800,000 less than the amount stated. In regard to the Act of 1869, in the first place Mr. Gladstone proposed that the sale should be compulsory, but, for some reason, during the interval between his introductory speech and the printing of the Bill, Mr. Gladstone changed his mind, and the compulsory proposal was dropped. It was then pointed out to Mr. Gladstone that he had neglected to take into consideration this question of the reduction of the poor-rate, and in Committee he corrected this mistake by moving without comment an Amendment. The hon. Member stated that in doing so Mr. Gladstone was increasing the rate of interest from £3 10s. to £3 16s. per cent., but he asked what authority had the hon. Member for making that statement? He could not point to any statement made by Mr. Gladstone to that effect. He merely said that he was bound to assume it because Mr. Gladstone was a great financier, and knew what he was doing. He (Mr. Balfour) was ready to admit Mr. Gladstone's merits as a financier, but he was bound to say that the hon. Member was wrong in asserting that Mr. Gladstone, while making the reduction for the poor-rate, at the same time increased the interest from

£3 10s. to £3 16s., for that was not Mr. Gladstone's idea in making those further proposals. As Mr. Gladstone stated in introducing the Bill, the clause contained two proposals, one providing for a cash payment and the other for an annuity extending over fifty-two years. But it was also provided that there should be a reduction of such sum based upon an average of five years, which the purchaser should be entitled to deduct from the tithe rent-charge in regard to the poor rate. What Mr. Gladstone really did was to allow a reduction of the amount of poor rate in respect of this payment, but what he gave with one hand in that way he took away with the other, for he increased the period from forty-five to fifty-two years. The point was that the admission of this seven years exactly made the difference between the payment by the landlords of the net and the gross tithe rent-charge. What Mr. Gladstone intended to do was to allow the tithe rent-charge payer to pay a sum less the amount of the poor rate, but at the same time, in order to preserve the gross amount of the Church Fund, he deliberately increased the period from forty-five to fifty-two years. So far it could not be contended that the tithe rent payer had any grievance, because under the Act of 1869 the tithe rent-charge payer could redeem not by an annuity but by a cash payment, and he was called upon to redeem not the net but the gross tithe rent-charge. Therefore the tithe rent-charge payer who redeemed in cash was placed by the provision of the Act of 1869 in precisely the same position as the tithe rent-charge payer who redeemed by an annuity. It was not until 1872 that the real disparity commenced. In the Bill of 1872 a condition was introduced to the effect that the tithe rent-charge payer who had redeemed in cash was entitled to deduct the poor rate. That Bill passed through the House practically without discussion, and Mr. Gladstone never explained his proposal upon this point. The hon. Member for East Mayo dwelt at enormous length upon the provisions of the Act of 1869, but he said practically nothing about the Act of 1872. Therefore, he entirely ignored the real essence of the case. How could it be defended that the tithe rent-charge payer who paid in cash was entitled to pay a smaller sum, while the annuitant was called upon to pay a larger sum?

MR. DILLON: That is not the case, and I absolutely deny it.

MR. G. W. BALFOUR said he still asserted that that was absolutely the case. The hon. Member had practically ignored the Act of 1872. As to the hon. Member's remarks upon the effect this proposal would have upon the Irish Church Fund, it was not his business to defend that fund. What he did say, however, was that he had had these calculations in the Treasury Memorandum checked again and again in every possible way, and he believed the figures in that Memorandum might be taken as being as nearly accurate as circumstances would allow. The hon. Member for East Mayo made a great point of the fact that the loss upon land purchase transactions was not taken into account, but he should have read a little more from the latter part of the Memorandum, which says—

"It remains to consider the effect of redemptions in cases of sale under the Land Purchase Acts £100 per annum of tithe rent-charge is sold under those Acts for £2,000, which sum could not be applied so as to reduce the net annual charge on the Fund by more than £60. So there would be a loss of £40 per annum for every £100 per annum of tithe rent-charge redeemed. In the case of tithe annuities, perpetuity rents, mortgages, and land annuities, the loss would be proportionately less, and the loss on tithe and land annuities must diminish as they draw nearer to their close. If such redemptions continued on a considerable scale, it would ultimately become necessary to reduce the provision of £70,000 per annum under the Agricultural Bill; not, however, in the near future."

When speaking on the Second Reading of this Bill, he stated that he believed that if the land purchase transactions went on in future at about the same pace as they had lately done, the effect on the Church Fund would be that it would still be able to afford this charge for fifteen years, and probably for thirty years, and that after thirty years they might be able to still pay £70,000 a year to the Department of Agriculture. He quite agreed with what the hon. Member had said in regard to

the desirability of preserving the Church Fund, but he did not think it was incumbent upon the House to dwell too carefully upon what might happen a generation hence. He ventured to say that if the Department of Agriculture proved a success the final result would be not that these amounts would be diminished, but that they would be increased. But the fact that they might be unable to pay this large sum to the Department of Agriculture was not, in his judgment, a sufficient reason why they should refuse to do justice to those whose payments constituted the Church Fund.

MR. EDMUND ROBERTSON (Dundee): As I understand the case it is simply this. Originally the persons liable for tithe rent-charge in Ireland had the option of adopting two methods. I understand that some tithe payers continue to pay the full tithe now. The others, I believe, have the option of electing to adopt either one of two systems. The Act of 1872 dealt in two different ways with two different classes of creditors, but it does not necessarily follow that there was any injustice to either of them, and in this respect I think the right hon Gentleman has conspicuously failed to make out his case. Who knows—he evidently does not—what the mind of Parliament was in 1872 in creating what he calls this disparity? The right hon. Gentleman was not in the House when the Act was passed; I was not in the House, and many hon. Members now present were not Members of the House at that time. Those who were then Members of the House appear to be under an obligation to inform us what was the Parliamentary understanding then arrived at. The Chancellor of the Exchequer in particular, whose views have been cited during this debate in a sense entirely favourable to the contention of hon. Members from Ireland, has not favoured us with an explanation, and until he does so, I must take it that the contention of the hon. Members from Ireland must be true. I have listened very carefully to the speech of the Member for East Mayo, but I felt all the time that he was merely beating the air. This Bill is no new thing in this House. It is part of the policy to which an enormous majority of this House of Commons during its whole career has devoted itself. I will not go into a retrospect of the various Acts which have been based, in my opinion, on the principle on which this Act was based. The first was an Act which took public money and gave it in relief of rates. Then there was a similar Act by which public money was granted in aid of Voluntary schools; that was public money given to a particular class. Then there was a section in the Finance Act two or three years ago, by which the Chancellor of the Exchequer put money into the pockets of a particular class. Then came the enormous bribe which was given to the Irish landlords in order to grease the wheels of the Local Government Act, and then, last year, we had the Act by which tithe rent-charge benefices were to be paid out of public funds. Every one of these Acts was based on the principle of this Bill. There is one difference, and only one, between the five measures to which I have referred and the present proposal. In Her Majesty's Speech from the Throne we were told that this Bill was going to be introduced, but we were also told that no domestic reforms which involved a large expenditure of money could be undertaken. I suppose this may be called a domestic reform, and I am told it involves an expenditure of 2½ millions. But what is the difference between it and the measures to which I have referred? They were paid for out of the Imperial Exchequer, whereas this is going to be paid for out of the miserable remnant of the Irish Church Fund. I object altogether to the proposals contained in this Bill, but speaking here as a Scotch Member, I declare I would rather see this relief a charge upon Imperial resources than on the small remnant of the Irish Church Fund which was to be devoted to purely Irish purposes. If this is a good thing, let us do it out of our own pockets, and let us not rob Ireland, for the sake of a small class, of money intended for the Irish people. I shall vote with my hon. friend against this clause.

MR. T. P. O'CONNOR (Liverpool, Scotland): The last time I had the honour of addressing the House on the Irish question I condoled with the right hon and gallant Gentleman opposite on

what I ventured to call the somewhat pathetic position he occupied in this House—always lamenting the condition of the class to which he belonged. I reverse that statement to-night, and I congratulate the right hon. and gallant Gentleman on one of the most remarkable Parliamentary achievements that any man has ever been able to carry out in this House. He and his friends have succeeded in getting the Government to reverse the whole process of legislation, and to give to a particular class in Ireland monetary compensation previously refused in nearly every single case. Take some of the cases we have seen in this House. An unfortunate man is wrongly convicted; he is sent for years to imprisonment, he is deprived of the means of earning his livelihood, and his wife and children are deprived of his assistance as the breadwinner. Take the case of the two Irishmen whose release was procured by the confession of Peace the murderer. They were imprisoned for four or five years for a murder, and their relatives were deprived of their assistance as breadwinners.

MR. GALLOWAY (Manchester, S.W.): These two men had no relatives.

MR. T. P. O'CONNOR: Oh, yes, they had; they were not married, but Irishmen always have relatives. A demand for compensation for these men was made, but ignominiously rejected by the Treasury. Officers in the Army and in the Navy who by admitted miscalculations, not conjectural miscalculations, have been treated unfairly, have come to Parliament session after session and have demanded compensation, which has always been refused. And now, for the first time in the history of Parliament, the right hon. and gallant Gentleman opposite, representing the landlords of Ireland, basing his claim on an alleged and conjectural miscalculation thirty years ago, is able to get from the Government for his class a redemption of seven years. The right hon. and gallant Gentleman is much to be congratulated on such a remarkable achievement. The Chief Secretary introduced this extraordinary Bill, but I think the Bill is not half so extraordinary as the arguments he used to support it. Take the speech we listened to a short time ago—a speech which I venture to say is the most interesting psychological as well as Parliamentary study I have ever had the pleasure of hearing in this House. The right hon. Gentleman lays down the principle that we are to judge of the intentions of Parliament, not by the words of Acts of Parliament, but by the ideas which he projects into the minds of gentlemen responsible for them thirty years ago. Why, Sir, if the right hon. Gentleman were to come before any of the Courts of this country, and were to quote, by way of arriving at the interpretation of an Act of Parliament, speeches in debate in this House, any Judge in the land would stop him and say, "What we have to consider are not the speeches by which the Bill became an Act of Parliament; our business is to interpret the words of the Statute before us. What was said during the discussion on the Bill has nothing to do with us." Then the right hon. Gentleman says that the Act of Parliament says so and so and means something else, and we ask him what are his reasons. He admits that the Act of Parliament prescribes a certain number of years for the repayment of a certain debt, but then he goes on to say that when the Act said fifty-two it meant forty-five. What is his proof? We read the speeches made for and against the Bill, and we read the speeches of Mr. Gladstone and the Chancellor of the Exchequer. According to the right hon. Gentleman Clause 32 of the Irish Church Act was a fraud on the landlords, but according to the Chancellor of the Exchequer, who was in Parliament when the Bill was being discussed, it was no fraud on the landlords at all, but a fraud on the Church, because it was a gift or a bribe to the landlords. In face of that the right hon. Gentleman now says, "Oh, really, I think I cannot give any reasons for that, except my own inner consciousness and my power of reading into the minds of people thirty years back. I think Mr. Gladstone must have meant not what he said but the opposite, and the Act of Parliament not what it said but the opposite; and what the Chancellor of the Exchequer meant when he described certain proposals as a gift or bribe to the landlords was not what he really meant, but that it was a fraud on the landlords." Then he says that

my hon. friend the Member for East Mayo—whose mastery of this question, as well as the energy and persistence with which he is most properly fighting this iniquitous measure, entitle him to the admiration of the House—only paid attention to one Act and said nothing about the Act of 1872. The right hon. Gentleman says that Mr. Gladstone could not have had present to his mind all the facts of the case, and could not have gone into all the details. Mr. Gladstone made a certain proposal on the gross amount of the tithe-rent; he found that it was not charged on the gross but on the net, and he then very probably did justice to the landlords by calculating on the net instead of on the gross, but when he did that he very naturally and properly increased the number of instalments from forty-five to fifty-two. The right hon. Gentleman says he took away with one hand what he gave with the other, but it is perfectly evident that, having made a calculation which was unjust to the landlords, Mr. Gladstone did justice in a second calculation, and having done justice in that way he was bound also to do justice to the Treasury by increasing the instalments. That is what the right hon. Gentleman means by saying that Mr. Gladstone took away with one hand what he gave with the other. Then the right hon. Gentleman says, "Oh, but look at the Act of 1872. See what injustice existed until that Act was passed." That injustice affected only persons who had paid cash, because they were charged on the gross, whereas persons who have bought by instalments were charged on the net. The right hon. Gentleman says that this was an injustice, and so it was, and accordingly in 1872 the cash purchasers were put in the same position as those who redeemed by instalments. That injustice was removed, but is there any reason now why you should create a new injustice? I am absolutely unable to see how the right hon. Gentleman can use the Act of 1872 as any justification whatever for the proposals in this Bill. The right hon. Gentleman has alluded to the Irish Church Fund. I will not go into the question at length, but I must say that it is a very startling thing that, in face of the admitted needs of Ireland, we have this Government making a present to the Irish landlords of a large amount of money, not one penny of which, I believe, they are entitled to. If any such proposal had been made seven or eight years ago, I believe the House of Commons then in existence would have stood aghast and amazed at it. In fact, I believe that the right hon. and gallant Gentleman in his heart of hearts is really in a state of almost bewildered and benumbed surprise at finding any Government so reckless as to make such a proposal. The right hon. and gallant Gentleman and his friends have again and again complained in this House of the manner in which their property, or what they are pleased to call their property, has been transferred to the Irish tenants. I say "what they are pleased to call their property" because they make no allowance for the fact that the value of the land has been increased by the labour of the tenants. The right hon. and gallant Gentleman says that when Englishmen desire to do justice to the oppressed people in Ireland, what they mean is that they are going to take money out of the pockets of one class of Irishmen in order to give it to another class. I think there is a good deal in that contention. Let us apply that point of view to the present Bill. The Government say that the unfortunate Irish landlords have been suffering a gross injustice for thirty years owing to a miscalculation—a simple matter of arithmetic—which was made by the greatest financier of our time, and the Government in a noble spirit of righteousness propose to right this wrong. How do they propose to do it? Not by taking money from English pockets, but by taking money out of the Irish Church Fund, which was intended by Mr. Gladstone for the relief of Irish distress, and then they talk of the noble spirit of righteousness in which they have righted the wrongs of the Irish landlords. I think it is shameless on the part of the Government—in face of the many calls there are for relief in Ireland—in face of the festering sore of the evicted tenants for whom session after session we have asked assistance—to come forward with this proposal.

MR. FLYNN: I have had some years experience in this House, but I have never heard so many inconsequential, perplexed and confused arguments used as have been employed in connection with this Bill. I should have thought that, if

the right hon. Gentleman the Chief Secretary were justified in the statements he made in defence of this proposal, either the Chancellor of the Exchequer or the Secretary of the Treasury would have defended the acts of the Treasury. The right hon. Gentleman says that the Act of 1869, amended by the Act of 1872, means something different from what it states, but he has brought absolutely no proof either from the speeches on the Bill of 1869 or from the speeches on the Bill of 1872 which can overthrow one single figure or fact advanced by my hon. friend the Member for East Mayo. What does the whole foundation of this clause rest on? That the Treasury has been making a serious mistake all these years. In the Treasury Minute of 1895 it was stated that no case existed to support the charge of wrong-doing towards the Irish landlords, but by some strange concatenation of circumstances, some fortuitous concurrence of political accidents, we now find the Government advocating the existence of an injustice which they themselves previously denied. This is a matter of the most serious importance, and I think we are entitled to have some declaration from the Treasury before we proceed further. I think also we are entitled to know how the Irish Church Fund will stand if this Bill becomes law. The Chief Secretary does not know, and we do not know whether the Agricultural Department will receive the £70,000 a year allotted to it.

MR. A. J. BALFOUR rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

The Committee divided:—Ayes, 144 Noes, 64. (Division List No. 172.)

AYES.

Anson, Sir William Reynell
Archdale, Edward Mervyn
Arnold-Forster, Hugh O.
Ashmead-Bartlett, Sir Ellis
Atkinson, Rt. Hon. John
Baird, John G. Alexander
Balcarres, Lord
Balfour, Rt. Hn. A. J. (Manch'r)
Balfour, Rt. Hn. G. W (Leeds)
Banbury, Frederick George
Barry, Rt Hn A H Smith-(Hunts
Beach, Rt. Hn. Sir M. H. (Bristol
Beckett, Ernest William
Blakiston-Houston, John
Boscawen, Arthur Griffith-
Brodrick, Rt. Hon. St. John
Brymer, William Ernest
Bullard, Sir Harry
Butcher, John George
Carson, Rt. Hon. Sir Edw. H.
Cavendish, R. F. (N. Lancs.)
Cavendish, V. C. W. (Derbysh.)
Cecil, Lord Hugh (Greenwich)
Chamberlain, Rt. Hon. J. (Bir.)
Chamberlain, J. A. (Worc'r)
Chaplin, Rt. Hon. Henry
Charrington, Spencer
Coghill, Douglas Harry
Collings, Rt. Hon. Jesse
Colomb, Sir J. C. Ready
Corbett, A. Cameron (Glasgow
Cornwallis, Fiennes Stanley W.
Cubitt, Hon. Henry
Curzon, Viscount
Dalkeith, Earl of
Dickinson, Robert Edmond
Douglas, Rt. Hon. A. Akers-
Egerton, Hon. A. de Tatton
Faber, George Denison
Fellowes, Hon. Ailwyn Edwd.
Finch, George H.
Finlay, Sir Robt. Bannatyne
Fisher, William Hayes
FitzGerald, Sir Robt. Penrose-
Fitz Wygram, General Sir F.
Fletcher, Sir Henry
Forster, Henry William
Foster, Colonel (Lancaster)
Galloway, William Johnson
Gedge, Sydney
Gibbons, J. Lloyd
Giles, Charles Tyrrell
Goldsworthy, Major-General
Gordon, Hon. John Edward
Gorst, Rt. Hon. Sir John Eldon
Goschen, Rt Hn G. J (St George's
Goschen, George J. (Sussex)
Goulding, Edward Alfred
Greene, H. D. (Shrewsbury)
Greville, Hon. Ronald
Gurdon, Sir William B.
Hamilton, Rt. Hon. Lord G.
Hanbury, Rt. Hon. Robert W.
Hanson, Sir Reginald
Hardy, Laurence
Helder, Augustus
Hermon-Hodge, Robt. Trotter
Hoare, Sir Samuel (Norwich)
Hutton, John (Yorks, N.R.)
Jackson, Rt. Hn. Wm. Lawies
Jebb, Sir Richard Claverhouse
Jeffreys, Arthur Frederick
Johnston, William (Belfast)
Kenyon, James
Kenyon-Slaney, Col. William
Keswick, William
Knowles, Lees
Lawrence, W. F. (Liverpool)
Lecky, Rt. Hn. William E. H.
Llewelyn, Sir Dillwyn (Swans'a
Long, Col. Chas. W. (Evesham
Long, Rt. Hn. Walter (Liverp'l)
Lowe, Francis William
Lowles, John
Lucas-Shadwell, William
Macartney, W. G. Ellison
Macdona, John Cumming
Maclure, Sir John William
M'Arthur, Charles (Liverpool)
M'Calmont, Col. J. (Antrim, E.)
M'Killop, James
Malcolm, Ian
Melville, Beresford Valentine
Montagu, Hon. J. Scott (Hants.
Moore, William (Antrim, N.)
More, Robert J. (Shropshire)
Morgan, Hn. F. (Monmouthsh.)
Morrell, George Herbert
Murray, Rt Hn A. Graham (Bute
Murray, Charles J. (Coventry)
Murray, Col. Wyndham (Bath
Myers, William Henry
Nicol, Donald Ninian
O'Neill, Hon. Robert Torrens
Pease, Herbert Pike (Darlingt'n
Peel, Hn. Wm. Robt. Wellesley
Platt-Higgins, Frederick
Plunkett, Rt. Hn. H. Curzon
Pretyman, Ernest George
Purvis, Robert
Remnant, James Farquharson
Renshaw, Charles Bine
Rentoul, James Alexander
Richardson, Sir T. (Hartlep'l)
Ridley, Rt. Hn. Sir Matthew W.
Ritchie, Rt. Hon. C. Thomson
Robertson, Herbert (Hackney)

Russell, T. W. (Tyrone)
Saunderson, Rt. Hn. Col. Edw. J.
Seely, Charles Hilton
Sharpe, William Edward T.
Shaw, Charles Edw. (Stafford)
Sidebotham, J. W. (Cheshire)
Sidebottom, William (Derby.)
Smith, Abel H. (Christchurch)
Smith, James Parker (Lanarks)
Stanley, Edward J. (Somerset)
Stirling-Maxwell, Sir John M.
Stock, James Henry
Talbot, Rt. Hn. J. G. (Oxford U.
Thornton, Percy M.
Tollemache, Henry James
Tomlinson, Wm. Edward M.
Warde, Lt.-Col. C. E. (Kent)
Wentworth, Bruce C. Vernon-
Whiteley, H. (Ashton-under-L.
Willoughby de Eresby, Lord
Willox, Sir John Archibald
Wodehouse, Rt Hon E. R. (Bath
Wolff, Gustav Wilhelm
Wylie, Alexander
Wyndham, George
Wyvil, Marmaduke D'Arcy
Young, Commander (Berks, E.)

TELLERS FOR THE AYES—Sir William Walrond and Mr. Anstruther.

NOES.

Abraham, William (Cork, N.E.)
Austin, M. (Limerick, W.)
Bayley, Thomas (Derbyshire)
Billson, Alfred
Bolton, Thomas Dolling
Broadhurst, Henry
Caldwell, James
Carvill, Patrick G. Hamilton
Cawley, Frederick
Clancy, John Joseph
Crombie, John William
Daly, James
Dalziel, James Henry
Dillon, John
Doogan, P. C.
Douglas, C. M. (Lanark)
Duckworth, James
Engledew, Charles John
Esmonde, Sir Thomas
Evershed, Sydney
Flavin, Michael Joseph
Flynn, James Christopher
Haldane, Richard Burdon
Hayne, Rt. Hn. Charles Seale-
Hemphill, Rt. Hn. Charles H.
Horniman, Frederick John
Jameson, Major J. Eustace
Jones, Wm. (Carnarvonshire)
Lawson, Sir Wilfrid (Cum'bl'nd
Leese, Sir J. F. (Accrington)
Lopes, Henry Yarde Buller
Lough, Thomas
Macaleese, Daniel
MacNeill, John Gordon Swift
M'Crae, George
M'Ghee, Richard
M'Hugh, Patrick A. (Leitrim
M'Kenna, Reginald
Molloy, Bernard Charles
Murnaghan, George
Nussey, Thomas Willans
O'Brien, James F. X. (Cork)
O'Connor, T. P. (Liverpool)
O'Dowd, John
O'Kelly, James
O'Malley, William
Palmer, Geo. Wm. (Reading)
Pease, Joseph A. (Northumb.)
Power, Patrick Joseph
Price, Robert John
Richardson, J. (Durham, S. E.)
Roberts, John Bryn (Eifion)
Roberts, John H. (Denbighs.)
Samuel, J. (Stockton-on-Tees)
Sinclair, Capt. Jno. (Forfarsh.
Soames, Arthur Wellesley
Sullivan, Donal (Westmeath)
Sullivan, T. D. (Donegal, W.)
Thomas, David A. (Merthyr)
Trevelyan, Charles Philips
Warner, Thomas Courtenay T
Wilson, Frederick W. (Norfolk)
Woodhouse, Sir J T (Huddersf'd
Woods, Samuel

TELLERS FOR THE NOES—Captain Donelan and Mr. Patrick O'Brien.

Question put accordingly, "That Clause 1 stand part of the Bill."

The Committee divided:—Ayes, 143; Noes, 64. (Division List No. 173.)

AYES.

Anson, Sir William Reynell
Archdale, Edward Mervyn
Arnold-Forster, Hugh O.
Ashmead-Bartlett, Sir Ellis
Atkinson, Rt. Hon. John
Baird, John Geo. Alexander
Balcarres, Lord
Balfour, Rt. Hn. A. J. (Manch'r)
Balfour, Rt Hn Gerald W (Leeds
Banbury, Frederick George
Barry, Rt Hn A H Smith-(Hunts
Beach, Rt Hon Sir M. H. (Bristol
Beckett, Ernest William
Blakiston-Houston, John
Boscawen, Arthur Griffith-
Brodrick, Rt. Hon. St. John
Brymer, William Ernest
Bullard, Sir Harry
Butcher, John George
Carson, Rt. Hon. Sir Edw. H.
Cavendish, R. F. (N. Lancs.)
Cavendish, V. C. W. (Derbysh.)
Cecil, Lord Hugh (Greenwich)
Chamberlain, Rt. Hn. J. (Birm.)
Chamberlain, J. A. (Worc'r)
Chaplin, Rt. Hon. Henry
Charrington, Spencer
Coghill, Douglas Harry
Collings, Rt. Hon. Jesse
Colomb, Sir John Charles Ready
Corbett, A. Cameron (Glasgow)
Cornwallis, Fiennes Stanley W.
Cubitt, Hon. Henry
Curzon, Viscount
Dalkeith, Earl of
Dickinson, Robert Edmond
Douglas, Rt. Hon. A. Akers-
Egerton, Hon. A. de Tatton
Faber, George Denison
Fellowes, Hn. Ailwyn Edward
Finch, George H.
Finlay, Sir Robert Bannatyne
Fisher, William Hayes
FitzGerald, Sir Rbt. Penrose-
FitzWygram, General Sir F.
Fletcher, Sir Henry
Forster, Henry William
Foster, Colonel (Lancaster)
Galloway, William Johnson
Gedge, Sydney
Gibbons, J. Lloyd
Giles, Charles Tyrrell
Goldsworthy, Major-General
Gordon, Hon. John Edward
Gorst, Rt. Hon. Sir John Eldon
Goschen, Rt. Hn. G. J. (St. Geo.'s
Goschen, George J. (Sussex)
Goulding, Edward Alfred
Greene, H. D. (Shrewsbury)
Greville, Hon. Ronald
Hamilton, Rt. Hon. Lord G.
Hanbury, Rt. Hon. Robert Wm.
Hanson, Sir Reginald
Hardy, Laurence
Helder, Augustus
Hermon-Hodge, Robert T.
Hoare, Sir Samuel (Norwich)
Hutton, John (Yorks., N.R.)
Jackson, Rt. Hon. Wm. Lawies
Jebb, Sir Richard Claverhouse
Jeffreys, Arthur Frederick
Johnston, William (Belfast)
Kenyon, James
Kenyon-Slaney, Col. William
Keswick, William
Knowles, Lees
Lawrence, Wm. F. (Liverpool)
Lecky, Rt. Hon. Wm. Edw. H.

Llewelyn, Sir Dillwyn-(Swans.)
Long, Col. Chas. W. (Evesham)
Long, Rt. Hon. W. (Liverpool)
Lopes, Henry Yarde Buller
Lowe, Francis William
Lowles, John
Lucas-Shadwell, William
Macartney, W. G. Ellison
Macdona, John Cumming
Maclure, Sir John William
M'Arthur, Charles (Liverpool)
M'Calmont, Col. J. (Antrim, E.)
M'Killop, James
Malcolm, Ian
Melville, Beresford Valentine
Montagu, Hn. J. Scott (Hants)
Moore, Wm. (Antrim, N.)
More, Robt. Jasper (Shropshire)
Morgan, Hn F. (Monmouthsh.
Morrell, George Herbert
Murray, Rt Hn A Graham (Bute
Murray, Charles J. (Coventry)
Murray, Col. Wynd. (Bath)
Myers, William Henry
Nicol, Donald Ninian
O'Neill, Hon. Robert Torrens
Pease, Herbert P. (Darlington
Peel, Hon. Wm. R. Wellesley
Platt-Higgins, Frederick
Plunkett, Rt. Hon. H. Curzon
Pretyman, Ernest George
Purvis, Robert
Remnant, James Farquharson
Renshaw, Charles Bine
Rentoul, James Alexander
Richardson Sir T. (Hartlep'l)
Ridley, Rt. Hn. Sir Matthew W.
Ritchie, Rt. Hon. C. Thomson
Robertson, Herbert (Hackney)
Russell, T. W. (Tyrone)
Saunderson, Rt. Hon. Col. E. J.
Seely, Charles Hilton
Sharpe, William Edward T.
Sidebotham, J. W. (Cheshire)
Sidebottom, William (Derbysh.
Smith, Abel H. (Christchurch
Smith, James Parker (Lanarks.
Stanley, Edward J. (Somerset)
Stirling-Maxwell, Sir John M.
Stock, James Henry
Talbot, Rt. Hn. J. G. (Oxf'd Uni.
Thornton, Percy M.
Tollemache, Henry James
Tomlinson, Wm. E. Murray
Warde, Lieut.-Col. C. E. (Kent)
Wentworth, Bruce C. Vernon-
Whiteley, H. (Ashton-under-L.
Willoughby de Eresby, Lord
Willox, Sir John Archibald
Wodehouse, Rt. Hn. E. R. (Bath
Wolff, Gustav Wilhelm
Wylie, Alexander
Wyndham, George
Wyvill, Marmaduke D'Arcy
Young, Commander (Berks, E.)

TELLERS FOR THE AYES—Sir William Walrond and Mr. Anstruther.

NOES.

Abraham, William (Cork, N. E.
Austin, M. (Limerick, W.)
Bayley, Thomas (Derbyshire)
Billson, Alfred
Bolton, Thomas Dolling
Broadhurst, Henry
Caldwell, James
Carvill, Patrick Geo. Hamilton
Cawley, Frederick
Clancy, John Joseph
Crombie, John William
Daly, James
Dalziel, James Henry
Dillon, John
Doogan, P. C.
Douglas, Charles M. (Lanark)
Duckworth, James
Engledew, Charles John
Esmonde, Sir Thomas
Evershed, Sydney
Flavin, Michael Joseph
Flynn, James Christopher
Guerdon, Sir Wm. Brampton
Haldane, Richard Burdon
Hayne, Rt. Hon. Charles Seale-
Hemphill, Rt. Hon. Charles H.
Horniman, Frederick John
Jameson, Major J. Eustace
Jones, Wil. (Carnarvonshire)
Lawson, Sir Wilf. (Cumb'land)
Leese, Sir Jos. F. (Accrington
Lough, Thomas
Macaleese, Daniel
MacNeill, John Gordon Swift
M'Crae, George
M'Ghee, Richard
M'Hugh, Patrick A. (Leitrim)
M'Kenna, Reginald
Molloy, Bernard Charles
Murnaghan, George
Nussey, Thomas Willans
O'Brien, James F. X. (Cork)
O'Connor, T. P. (Liverpool)
O'Dowd, John
O'Kelly, James
O'Malley, William
Palmer, George Wm. (Reading)
Peare, Joseph A. (Northumb.
Power, Patrick Joseph
Price, Robert John
Richardson, J. (Durham, S. E.)
Roberts, John Bryn (Eifion)
Roberts, John H. (Denbighs.)
Samuel, J. (Stockton-on-Tees)
Shaw, Charles Edw. (Stafford)
Sinclair, Capt. J. (Forfarshire)
Soames, Arthur Wellesley
Sullivan, Donal (Westmeath)
Sullivan, T. D. (Donegal, W.)
Thomas, David Alfred (Merthyr
Trevelyan, Charles Philips
Warner, Thomas Courtenay T.
Wilson, Frederick W. (Norfolk
Woodhouse, Sir J. T. (Huddrsfld
Woods, Samuel

TELLERS FOR THE NOES—Captain Donelan and Mr. Patrick O'Brien.

It being after Midnight, the Chairman left the Chair to make his Report to the House.

Committee report Progress; to sit again this day.

EDUCATION OF THE BLIND (SCOTLAND) BILL.

Considered in Committee.

(In the Committee.)

Committee report Progress.

Order for Committee discharged; Bill withdrawn.

Adjourned at twenty minutes after Twelve of the clock.

HOUSE OF COMMONS.

Wednesday, 4th July, 1900.

PRIVATE BILL BUSINESS.

TAUNTON CORPORATION BILL.

As amended, considered.

MR. STRACHEY (Somersetshire, S.): I desire to move a new clause, the object of which is to give a right of appeal to any person aggrieved. I may say that the clause which appears on the Paper is taken verbatim from the Public Health (Scotland) Act, 1897, except as far as it is necessary to alter it in regard to the different procedure and jurisdiction in Scotland and England. It will be noticed that while the clause gives the right of appeal to any person aggrieved by an order made by the corporation, yet, pending the decision of that appeal, it is provided that the order shall remain in force. I think I have guarded in every possible way, therefore, against any injustice to the corporation in this matter. I am asking the House to remedy a decided injustice, because under this Bill power is given to the corporation to act as judge, jury, and prosecutor, without any right of appeal, except under Clause 90, to the court of quarter sessions. But it might happen that the quarter sessions had just sat, and frequently it would be three months before the appeal could be heard. I cannot see why this clause should be so much opposed, considering that it really carries out the views of the County Councils Association, and I therefore venture to appeal for the help of all those gentlemen who are interested in county councils and know their worth. The question has been discussed before, and I do not think it necessary to labour the point any further. All I ask is that before a man is judged by the corporation and finally condemned, he should have a right of appeal to an independent body. I beg to move.

Amendment proposed—

"In page 18, after line 25, to insert the words, 'It shall be open to any local authority, dairyman, or person aggrieved by any such order or withdrawal of such order to appeal in a summary manner to a court of petty sessions having jurisdiction in the district in which the dairy is situated, and the court may either make an order requiring the dairyman to cease from supplying milk, or may vary or rescind any order which has been made by the local authority, and they may at any time withdraw any order made under this section. Pending the disposal of any such appeal the order shall remain in force.'"—(*Mr. Strachey.*)

Question proposed, "That those words be there inserted."

LORD EDMOND FITZMAURICE (Wiltshire, Cricklade): I might say I am in hearty sympathy with the wishes of the hon. Member who moved this clause, and I am also a member of the County Councils Association, to whose views he says he is giving effect, but I am bound to say that I have never been able to convince myself that there was any real danger to county authorities, or even to the dignity and reputation of the rural districts, by the clauses which have been asked for by the boroughs. The whole question has been discussed on previous occasions, and I understand that now the opposition to what are known as the model clauses is abandoned, and in its place we are met with what I admit is a far more moderate and defensible proposal, namely, that there should be an appeal against the orders of the corporations in these cases. In principle I entirely agree with that, and so, I believe, does the House as a whole, because there is no Bill before the House, and least of all this Bill, in which there is no appeal clause. My hon. friend has himself pointed out that there is an appeal clause in this Bill, and it stands to reason that in all these Bills which deal not only generally with cases relating to tuberculosis and the general question of the milk supply, but also with a very great number of other questions, following the policy laid down by Parliament in the Summary Jurisdiction Act, 1879, there should be an appeal to the court of quarter sessions. My hon. friend has said, and to a certain extent truly, that the time which no doubt elapses between the meetings of the quarter sessions will in these cases render the appeal to the quarter sessions of no substantial value to the appellant. That also applies to his own clause, because the appeal he proposes is, not to any justices sitting daily, who could deal with the question rapidly and at once, but to justices sitting in petty sessions, and such a court meets only fortnightly, or some-

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

times even monthly. Therefore, the remedy proposed by my hon. friend is not of very great value. But no great harm would be done if the words were added to the Bill, because I think in practice they would not be made use of. That being so I ask whether there would be any objection in adding them. Even putting aside the unwillingness of a dairyman to drag all his doings and alleged misdoings into a court of quarter sessions or petty sessions, which I think is the strongest argument of all, I have very grave doubts as to whether this clause is really worth the paper on which it is printed. There are many minor objections I might urge. I cannot see why a local authority outside the borough, or why another person aggrieved, who might be a rival dairyman, are to be brought in as possible appellants. I am bound to say I cannot see that any good would be obtained by adding the words to the Bill. I was in very great hopes that the Committee upstairs when they added the appeal clause to the Bill had, to say the least, gone a very long way towards meeting the opposition on this question, but I fail to see that the position would be improved by the adoption of this proposed clause.

COLONEL WELBY (Taunton): I am very sorry I cannot support the new clause proposed by the hon. Member for South Somersetshire, as I have very gladly acted with him in former attempts to alter this particular clause in Corporation Bills. I am obliged to oppose the proposal for two reasons, one sentimental, and the other practical. The sentimental reason is that an elected corporation, like that of Taunton, consisting of twenty members, naturally would not like an appeal from their jurisdiction to perhaps two county magistrates sitting in petty sessions. Such an appeal as that I am certain would lead to friction between the county and the borough. The practical objection is that the petty sessions would have no jurisdiction in the borough, and therefore you would be appealing from a court which had jurisdiction in the borough to another and smaller one which had no jurisdiction there. There is an appeal to quarter sessions contained in the Bill. The quarter sessions have jurisdiction over the borough, but petty sessions have not. It therefore seems to me that you would be introducing a new authority into the borough, and one which would be anything but welcome. After all, it is only a question of whether the milk should be sold in the borough of Taunton. It is not a question of drawing a line around a particular dairy and preventing any dealing with that dairy. It is simply that the milk should not be sold in the borough over which the corporation has jurisdiction, and there is nothing whatever to prevent the whole county outside buying the milk if they care to take the risk.

*THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr. T. W. RUSSELL, Tyrone, S.): So far as I understand the position taken up by the hon. Member for South Somersetshire, he appears to me to have abandoned his opposition to the model clauses as they were framed, and the point seems to be narrowed down to the provision of a proper court of appeal. I will say at once that, so far as that question is concerned, I am willing to confer with all the parties concerned with a view to arriving at a satisfactory solution of the matter. But when I come to examine the proposal before the House, I do not think it is one which can command any support whatever. Let me put briefly how the matter stands as regards these clauses and the milk question. Under the thirty-fifth section of this Bill, if the medical officer of the borough, after having inspected the dairy, and, accompanied by a veterinary surgeon, examined the cows, and obtained a sample of the milk, is of opinion that tuberculosis is, or is likely to be, caused to a person residing in the borough by the consumption of milk supplied from such dairy or any cow kept therein, the following procedure is to be adopted. Let the House listen to what this procedure is: The medical officer must, first of all, report to the corporation, sending in the report furnished to him by the veterinary surgeon; the corporation must then give notice to the dairyman to appear before them to show cause why an order should not be made requiring him not to supply milk within the borough. If in their opinion the dairyman fails to show such cause the corporation may make an order on the dairyman not to supply milk within the borough, and they are bound by the Bill to serve notice of the fact on the county

council in whose area the borough is situated, on the Local Government Board, and, in the case of a dairy outside the borough, on the council of the borough or county district in which the borough is situated. The order must be withdrawn by the corporation on their medical officer being satisfied that the milk supply has been changed or is not likely to cause tuberculosis. If any person supplies milk or sells it for consumption in the borough in contravention of such order he becomes liable to a penalty. The House will see, first of all, that there is no prohibition of the supply of milk from an infected area in the county; but the borough authorities merely act for the protection of their own citizens within their own district from a danger of this kind. Surely, that is a power which cannot be denied by the House to any borough authority. But what is proposed to be done? Any person aggrieved by such an order is not denied by this Bill the right of appeal; he has an appeal to quarter sessions under the ninetieth section of this very Bill, and the quarter sessions is an authority which has jurisdiction in the borough, and has power to act within the borough. But what is the proposal made by the hon. Member for Somerset? It is that the corporation, having made this order for the protection of their own citizens, an appeal shall lie—to whom? To the petty sessions of the district in which the dairy is situated. In the first place, that is an authority which has no power to act within the borough at all and whose order would not run even if they issued it. Surely the House is not going to stultify itself by accepting a proposal of that kind. I say it is not fair to the borough to have a court of appeal in which the borough has no voice at all. The borough is the authority aggrieved by the sale of the milk, but under this proposal they would have no voice whatever in the matter. I think when the Bill provides for an appeal to the quarter sessions it is absurd to propose to set up a court of appeal of this kind. That is the main issue upon which the House has to decide. The only question now is the matter of the court of appeal. I agree that there ought to be an appeal, but it ought to be a perfectly independent authority that can decide the matter legitimately as between the borough and the county. I am willing to co-operate with hon. Gentlemen representing both parties in this House, and the Department is willing to co-operate with them in endeavouring to secure unanimity, but a proposal of this kind cannot possibly be accepted; it could not possibly be of any use if it were accepted; it would make confusion worse confounded; it would not benefit the county, and it would give the boroughs a fresh grievance. I must therefore resist the proposal.

SIR JOHN DORINGTON (Gloucestershire, Tewkesbury): I think the arguments put forward by the Secretary to the Local Government Board rather under-estimate the power and effect of sentiment in this matter. There is a curious conflict of opinion between country and town on this question, and if that conflict could be settled the whole matter could be arranged. I was therefore very glad to hear the remarks of the hon. Gentleman with reference to a conference, at which all parties will be represented, to settle this court of appeal. It might very well happen that the city of Bristol now might want to exercise jurisdiction in this matter inside the city of Gloucester—in fact, any municipality might claim to exercise authority within the precincts of another municipality. But the latter municipality would immesay, "No, that will not do. It is quite right that you should be able to prohibit our milk coming into your town; but you must do it by taking action through us." That is the right line to be taken, and that is where the model clauses have gone wrong. What is wanted is general legislation by which it will be right for one authority to call upon another to see that the law is properly carried out. At present friction arises, as is admitted, under the model clauses, because municipal authorities have rights extending possibly to the ruin of individuals residing in another area under another jurisdiction, and I do not see how that is to be removed until some agreement is come to between the parties concerned. The error in the commencement with regard to the model clauses was that the county authorities were not called into conference at all. The Association of Municipal Corporations was one of the conferring parties, but the County Councils Association, an equally important body, was left entirely out of the consideration of the matter. With regard to the question of quarter sessions or petty sessions, one of

the faults of the proposal is that the corporation have a decision in the matter—that the corporation, which is not a judicial authority, has to exercise an authority which may ruin an individual in the county. It is all very well to say that the individual has his rights to supply milk everywhere except in that particular borough. It may be that the supply within that borough is the man's whole livelihood. If the Secretary to the Local Government Board will have this conference as to the best court of appeal, it is quite possible the matter can be settled, but unless that conference is agreed to I shall support the Amendment.

*Mr. JONATHAN SAMUEL (Stockton): I hope the House will reject this proposed new clause, because, if passed, it would be a very serious matter for the boroughs of this country. I totally disagree with the remarks of the hon. Member who has just spoken, because I contend that if milk is sold within the borough from dairies affected with tuberculosis outside the borough area the local authority should have power to step in and prevent that milk being sold. The hon. Gentleman stated there was an infringement of the rights of the county council. I do not see where the county council comes in; the county council has no jurisdiction whatever, except in a supervising sense, because the authority is in the hands of the rural or district council for the time being. This clause simply gives the same power as is given under the Public Health Act with regard to diseased meat. When the sanitary inspector or the medical officer of health of a borough finds a diseased carcase in the market he at once obtains an order from the magistrate to destroy it, although that carcase might come from outside the borough area. To place that inspector in a position that he would have to seek the authority of the medical officer outside the borough or the sanitary inspector or the magistrate would certainly place the borough in such a position that it would be unable to protect its inhabitants. Therefore in regard to selling diseased milk inside the borough the local authority ought to have the right to intervene, and if the dairyman feels aggrieved let him go to the quarter sessions. The proposal of the hon. Member is most absurd. Who would ever think of proposing that in ordinary cases the jurisdiction of the judges of a bench inside a borough should be overruled or supervised by a court of petty sessions which may be sitting outside altogether? The only result would be that prejudice would be brought to bear in these cases, and the public would not be protected. I believe the clause as it stands in the Taunton Corporation Bill is a proper one; it is a proper protection to the consumers of milk in our boroughs and urban districts, who ought to be protected, because, after all, it is paramount that the public health should be preserved; and upon these grounds I hope the House will reject the Amendment.

Mr. HOBHOUSE (Somersetshire, E.): I feel sure a large section of the House are somewhat tired of these constant discussions on the question of dairy inspection, and I want to point out why these discussions have been repeated. There are two causes. The first is the reluctance of the Government, and especially of my hon. friend the Secretary to the Local Government Board, to indicate any prospect of general legislation on this important subject. It is absolutely necessary for us to bring these questions up on private Bills, because my hon. friend has set his face against any general legislation on this subject.

*Mr. T. W. RUSSELL was understood to say that all he had done during the session was to adhere to certain clauses which had been agreed to at a conference between the parties interested. Those clauses were now called "model clauses," and had been incorporated in a series of similar Bills. The Local Government Board were one of the parties to the agreement, and they had stood by it.

Mr. HOBHOUSE: However, the result has been practically to substitute for any attempt at general legislation individual clauses in individual Bills. That is what necessitates these constant discussions. My hon. friend has made an offer of a conference with all parties concerned, so I imagine he now recognises the fact, which he absolutely did not recognise last year—that among the parties concerned are the county councils, who have important duties to perform towards the dwellers in their counties. I hope the House will not imagine that as

far as the county councils are concerned this question is one of jealousy of the local authorities. Far from it. If my hon. friend had been present when a resolution was passed unanimously the other day by a large meeting representing the different county councils of the kingdom, he would have seen that the ruling feeling among us was simply that those farmers in our districts should not suffer the severe injury they are now exposed to, without having an opportunity of putting their case in due time before a proper judicial authority. I must point out that this question arises directly out of the form in which these model clauses were passed. The mistake to my mind is that of giving the corporation—or not the corporation as a whole, but a committee of the corporation—judicial authority to exclude a farmer from trading in their borough. It is not a question of the borough magistrates. The hon. Member for Stockton referred us to the case of diseased meat, but, as he said himself, that is destroyed by an order of the justices—a judicial authority. There would not be the same objection in that case as if the order was made by a sanitary committee who had no authority to hear persons on oath, and so on. These model clauses, if they had come before the House instead of being settled by a conference upstairs, would have been properly amended. It does not bear argument that a corporation which is not a judicial body should have power to make a judicial order—an order which would injure a dairyman very seriously. It is said that the dairyman has a protection by having the right of appeal to the quarter sessions. In my own county the quarter sessions assemble at intervals of three months, sometimes longer. What you are really saying is that the order of this non-judicial authority is to stand for three months or more, during which time this dairyman may be ruined in his trade, without having the opportunity of appealing to any judicial body whatever. That is why the proposal has been made to appeal to the petty sessions; that Court sits oftener, and I believe in some cases my hon. friend would even go to the borough justices and not to the county justices. The substantial thing is to give a man who is resting under the imputation of a non-judicial body a proper opportunity of appealing within a reasonable time. If the Government would undertake to give us the matter of substance, the matter of form would be a matter of comparative indifference. I do not think, after the speech of the hon. Member representing the borough, that the Corporation of Taunton would be unreasonable, and if an arrangement could be come to, I do not think the Government should stand in the way. After the very important statement of the Secretary to the Local Government Board, I think we should have further time, and therefore I beg to move that the debate be now adjourned.

CAPTAIN PRETYMAN (Suffolk, Woodbridge) formally seconded the motion.

Motion made and Question proposed, "That the debate be now adjourned."—(*Mr. Hobhouse.*)

*MR. T. W. RUSSELL: Upon this question I should like to say that the matter is now narrowed down to one of a proper court of appeal. I stated I was ready to confer with the parties, but not on this question as a whole; I never contemplated that. I am willing to confer with all parties interested with a view to getting a suitable court of appeal. As regards this Bill, it has passed the Committee, and I think it ought to go through. I am quite certain the court of appeal proposed in this Amendment would be of no use to anybody, and I hope my hon. friend, after my offer of a conference on this point, will withdraw his motion and allow the Bill to go through.

MR. HOBHOUSE: I ask leave to withdraw my motion, in order that the debate may go on.

Motion, by leave, withdrawn.

*MR. JEFFREYS (Hampshire, N.): I am sure none of us would wish to force tuberculosis milk upon any of the boroughs, and as long as they can protect the milk supply of their boroughs without harassing the farmers we should all be satisfied. We do not wish to prevent boroughs taking all reasonable precautions, but it has been considered that if it was left in the power of one county justice to make an order of inspection and then of the corporation to make an order prohibiting the introduction of the milk into the borough, an injustice might

be done to the farmer, who has not been called. The Secretary to the Local Government Board has promised to consider this matter, and to draw up rules appointing a proper court of appeal. I cannot help thinking that that is exactly what we want. At the County Councils Association, the other day, the hon. Member for East Somersetshire brought up a motion, which was passed, but the motion was merely that there should be a court of appeal to which the farmer could appeal. My hon. friend's Amendment reads—

"It shall be open to any local authority, dairyman, or person aggrieved by any such order——"

What does he mean by "any such order"? Does he mean the order which the county magistrate first of all gives for the inspection, or the order which the corporation make prohibiting the supply?

MR. STRACHEY: The order of the corporation.

*MR. JEFFREYS: Then I think it is wrong in the order in which it is placed, because it is proposed to place this at the end of line 25.

MR. STRACHEY explained that there was a difference in the printing of the Bill.

*MR. JEFFREYS: At any rate, it is the order of the corporation. Is the appeal to the borough sessions or to the county sessions? There would be a great difficulty in appealing from the borough magistrates to the county quarter sessions, and *vice versâ*. All this my hon. friend below me has promised to consider, and to appoint a proper court of appeal.

MR. STRACHEY: But not on this Bill.

*MR. JEFFREYS: No; but it must be remembered that this Bill has to go through another stage in another House, and if a conference were called and an appeal clause agreed to it might be inserted in another place just as well as in this House. Other Bills have already passed through all their stages in this House, and it is too late to discuss them; but if this appeal clause were agreed to it could be inserted in all the other Bills as well. It seems to me that my hon. friend has promised the most reasonable course. I should like to remind the House that this order is in force in London under the Public Health (London) Act, 1883, exactly the same order runs, but it has not been felt to operate harshly. At the meeting of the County Councils Association the other day a farmer said he supplied London with a large quantity of milk, and it would be a very great hardship if this order were made upon him prohibiting the supply. I reminded him that the order could be made at any time now, and, although he had been supplying milk to London for years, he had no idea that this power existed. That shows that it cannot operate very harshly, and so long as it is safeguarded by the appeal which the secretary to the Local Government Board promises to give, I think the hon. Member for South Somersetshire and his supporters ought to be satisfied; they will get what they want, they will get what the County Councils Association wants, and they will get protection from any injustice which might be done to the farmers. I therefore think my hon. friend would be wise if he withdrew his Amendment.

*COLONEL PILKINGTON (Lancashire, Newton): It has been suggested that it is *infra dig.* for a corporation to appear before the petty sessions outside the borough, but as far as that goes I think there is nothing in it at all, because corporations are the same as individuals in that they are amenable to the law of the country, and they have to appear before courts to justify their action. I cannot see that there would be any great difficulty in the Corporation of Taunton having to plead its case before a court of petty sessions outside the borough. It is not a question of one authority against another; it is a question of the whole of the proceedure before the courts, and the humblest individual in the land has just as much right before a court of law as the most powerful corporation. In regard to this question of appeal, is it not an injustice that a farmer supplying milk should have to wait for three months before he had a chance of bringing on his appeal? I think it is quite clear that a court of appeal ought certainly to be instituted before any Bill of this nature is passed. The cart is before the horse in this case.

The Government have had plenty of time to put this most important question right before passing private Bills where individuals are affected. With regard to this question of boroughs appealing before county magistrates and so on, all over the country, the decision of the borough magistrates is subject in many cases to the decision of the county magistrates sitting at quarter sessions. Therefore, it appears to me that we are greatly indebted to my hon. friend the Member for South Somersetshire for having made the first proposal in the direction of establishing a reasonable court of appeal which shall sit at a reasonable time. It appears to have been forgotten that the corporations in any number can proceed against a milk seller and get a conviction against him. A corporation in Lancashire, for instance, may proceed against a farmer outside their area in regard to the sale of milk. They may prove their case and get a conviction against that man, but surely that is ample treatment. If the corporation are going to ask for these strong orders to stop the sale of milk, we ought to have on the other side proper machinery for an appeal, and a quick appeal in a case like the one I have mentioned. Supposing a man is convicted of selling such milk, and he has to wait for three months for the court of appeal to hear his case, he would be ruined in the meantime. I think some hon. Members who have spoken upon this question appear to think that this provision only applies in the borough, but the moment that order takes effect the man is subject to it, not only in the borough, but also in the county, and the farmer has to sit down under a very unpleasant order. Naturally and rightly with the members of a corporation their patriotism is local, and it is only right that a court of appeal should be set up where justice can be done, and done speedily if the order is to be carried out. I think the proposal of my hon. friend the Member for Somerset is a most sensible one in this direction.

MR. WARNER (Staffordshire, Lichfield): What has been clearly brought forward in this debate is that the authority will be the sanitary committee of the town council. There ought to be an appeal of some sort to a body who can deal with it at once. The proposal of the hon. Member for South Somersetshire is not perhaps exactly what we all wish for, but he has stated that he is prepared to accept any suggestion to improve the clause or any reasonable proposal to establish a court of appeal to deal with the matter at once. Of course, an appeal to the court of quarter sessions is absurd, because a delay of three months would ruin anybody. I will suggest that the House pass this clause, and that the representative of the Local Government Board shall afterwards put in such an Amendment as he thinks proper for the protection of town councils, instead of giving a point blank "no" to the protection of the former by his own authority.

*MR. T. W. RUSSELL: It is perfectly impossible to amend the clause.

MR. WARNER: I must differ from the hon. Member upon that point, for I never knew a clause yet which it was not possible to amend. It may be amended in many ways, even if it has to be done at a further stage of the Bill. What is wanted is some pledge that something will be done in this Bill for the protection of the farmer and to give a right of appeal in his own district, instead of being under the control of somebody he has nothing to do with, and being at the mercy of the sanitary authority of some small town council.

MR. DILLON (Mayo, E.): This is an immensely important question. When the hon. Member opposite drew attention to the fact that the City of London had powers similar to those proposed to be given in this Bill, I think he and other hon. Members were not aware of the fact that the whole of this question of milk inspections is in process of revolution. Under the old system of sanitary laws these powers of milk inspection were confined to cases of evident disease in cows, and to the inspection of dairies where there was some disease that could be immediately detected by any person who had a fair amount of knowledge. But, as hon. Members are well aware, within the last two or three years a complete revolution has taken place in this matter, and doctrines and theories have been started, no doubt with excellent foundation, by medical experts as to the widespread existence of tuberculosis amongst cattle and cows resulting in danger to the public health which were quite unknown some

years ago. The existence of tuberculosis in cattle is not at all an evident matter; in fact, in many stages, it is extremely difficult to determine. The first point I would draw attention to is that when you come to deal with the examination of dairies with a view of preventing the sale of milk containing the germs of tuberculosis, you have to deal with a case requiring a great deal of medical skill, and a peculiar form of scientific training. That being the case, it is perfectly manifest that, in the case of a great many municipal authorities in this country, it cannot be expected that they will have in their employment men of sufficient skill and training whose decision would be infallible in a matter of this kind. For many years to come, it will be unreasonable to expect that men of really expert training will be at the disposal of every town which requires them. Whilst those of us representing country districts recognise the justice of the demand on the part of all municipalities to have full and most stringent powers to protect themselves against the sale of milk infected with tuberculosis in their district, we are entitled to ask for some machinery which will afford the unfortunate farmer protection against orders such as those which are contemplated in this Bill. What would be the position of a farmer proceeded against under this clause? Take the case of a man whose whole living depends upon the sale of milk. He will be forbidden to sell his milk in the only market he has got. Not only this, but the order which is to be made under this section is to be served on the district council or county council, and the man is to be boycotted, and the alleged character of his dairy is to be published all over the country, and his premises will be avoided as a sanitary plague. If the order happens to be based upon a mistake, the position of the unfortunate farmer will be that for three months his entire business will be brought to a standstill, and the man would be entirely ruined before he could make an appeal. The hon. Member who represents the Government on this occasion, recognises that it would be an intolerable grievance for a farmer to have to wait for such a long period for an appeal. I must confess that I shall be disposed to vote for this Amendment, because I think the case against the clause is unanswerable. I think it would be an unwise thing to give power to one or two local magistrates to force such milk on the town against the desire of the town council or municipal authority. On the other hand, I think it is a great hardship, amounting almost to cruelty, to a farmer if he is to be left at the mercy of an order of this kind —which may turn out to have been improperly made—for a period of three months, during which the man may be utterly and absolutely ruined without any just cause. The Secretary to the Local Government Board says he recognises that such a case cannot be defended, and that some proper court of appeal ought to be instituted. I followed his speech very closely, and I noticed that he did not constitute any court of appeal in this Bill, nor did he mention any period by which he would have his proposals ready to do this; neither did he say how they would be submitted to the House. I do think we ought to have some definite statement, before we allow this Bill to pass, that before the session closes some general scheme will be submitted by the Government establishing a satisfactory court of appeal in this matter. I desire to say a word or two upon what I think the only satisfactory court of appeal should be. I do not think you will be able to get a satisfactory court of appeal all at once. What you require is a court of appeal which will be rapid in its action and also inexpensive. There would be a natural tendency to set up an antagonism between town and country upon this question, and my notion of a court of appeal would be that if the farmer does not think he is really in the wrong in the matter a perfectly simple process would be that he should have the right to get down an expert from the Local Government Board, who should be a thoroughly trained and skilled scientific man, who can really determine whether there is tuberculosis matter in the milk. The farmer should have the right to get this expert down from headquarters, who should proceed to hold an inquiry and bring to bear on the subject not only evidence, but his own skill and knowledge in dealing with the subject matter of investigation. I believe it is in this direction, and this direction alone, that you can look for a satisfactory court of appeal. I do think the Government ought to give some assurance that before the end of the session they will bring before the House of Commons their proposal for

a court of appeal, and not leave for an indefinite period this most serious matter in a state of uncertainty. I ground that appeal strongly upon my conviction that most properly and most necessarily a revolution has taken place in the whole question of milk inspection, and we have got to deal not with a matter of which we can judge by precedent, but with an entirely new state of things. I hope the inspection will be conducted in a much more rigorous and effectual manner than was ever dreamt of two or three years ago.

MR. RENSHAW (Renfrewshire, W.) said that under the Scotch procedure the provision made for an appeal to the sheriff worked exceedingly well. He did not know what was the nearest approach to a Scotch sheriff in England, but his own opinion was that it would be a county court judge. In view of the course which the discussion had taken he suggested that the Secretary to the Local Government Board should give some undertaking to those who had moved this Amendment in this House to insert a clause to meet the difficulty between the time when the Bill left this House and its passage through the House of Lords. The conference which the Secretary to the Local Government Board had suggested could take place, so that any decision arrived at by that conference could be dealt with in the House of Lords. He very much sympathised with the general principle expressed by his hon. friend the Member for South Somersetshire.

*MR. T. W. RUSSELL: An appeal has now been made to me to endeavour to arrange a conference, so that any compromise that may be arrived at can be inserted in the Bill before it passes through the House of Lords. In the first place, conferences are not things that can be summoned at a moment's notice, and it may not be very easy to come to an agreement when that conference takes place. I think it will be recognised that there are some difficulties in the way of the conference suggested. I admit that the court of appeal is an absolute necessity. In the second place, I wish to point out that under no circumstances can we accept this Amendment or this court of appeal, because it is unworkable and mischievous in every sense of the word. I shall use my best endeavours to have a conference with all the parties interested in this question at once. I can go no further than that, and if it is possible to arrange matters at that conference I shall throw no difficulty in the way of a clause being introduced into this Bill in the House of Lords in order to carry out any satisfactory compromise which may be arrived at.

*MR. SEELY (Lincoln) said he thought that the hon. Member opposite might accept the solution of the difficulty suggested by the Secretary to the Local Government Board. He considered that while it was most essential to deal with the sale of such milk, it was not reasonable that a committee of the corporation should, without any appeal whatever, have the right to practically ruin a particular farmer, because that is what it would amount to. At the same time he did not think that county magistrates should be given authority within the borough either directly or indirectly under this clause. He thought the only solution was something in the nature of an appeal either to the county court judge, as was suggested by the hon. Member for Renfrewshire, or to the borough magistrates. He was not sure that the borough magistrates would not make a perfectly satisfactory court of appeal. The Secretary to the Local Government Board had stated that the clause could not be amended; but, as a matter of fact, the introduction of a few words would alter it and make it quite a practical one. He thought the best course to adopt under the circumstances was to have this clause withdrawn, and accept the pledge given by the Local Government Board in the hope that after the conference a satisfactory clause to meet the difficulty would be inserted in another place. Of course they could not bind the House of Lords, but he did not think they would find them particularly hostile.

MR. MALCOLM (Suffolk, Stowmarket): I should like some further explanation as to what the real difficulty is of providing for a court of appeal in this Bill. The Secretary to the Local Government Board has told us that it is important to have such a court of appeal, but at the same time he says that in the present Bill nothing will induce him to put anything of the kind in it. If such a proposal is good for future legislation I

should have thought that it was good for present legislation also. I think the conference suggested is hardly good enough for country Members. If that conference decides in a certain way, I should like to know if the hon. Gentleman will do all he can to get a clause to that effect inserted in another place. The hon. Gentleman must know now whether he is going to put this in or not, and if he has any doubt about it I think that the wisest and best thing we could do would be to adjourn the question until he has had this conference.

LORD EDMOND FITZMAURICE: I have no desire to trouble the House a second time with a speech, but I simply want to point out that if hon. Members desire that this matter should be gone into I believe it would not be out of order to move that the Bill be recommitted in order to insert such a clause as has been suggested. That course would allow a conference to take place, and by allowing this stage of the Bill to pass the House does not necessarily deprive itself of a further opportunity of dealing with the matter.

MR. STRACHEY: I should be quite ready, if the House accepted the Second Reading of this clause, to agree to the Amendment suggested by the hon. Member for West Renfrewshire and the hon. Member for Lincoln.

*MR. SPEAKER: The hon. Member is under a misapprehension; this is not moved as a new clause, but simply as an Amendment.

MR. STRACHEY: My hon. friend the Secretary to the Local Government Board practically says that he will accept no compromise whatever, and I do not think there is anything for us to do but to proceed to a division.

MR. PHILIPPS (Pembrokeshire): My hon. friend the Secretary to the Local Government Board says that he will not accept this Amendment, but at the same time he says that the Bill will not be satisfactory as it stands. What he offers to do is that if the Bill is allowed to leave this House in its present shape he will get a conference together, and if that conference agrees upon something which he says it will be very difficult to get them to agree upon—if these difficult things come to pass—he will endeavour to get a clause inserted to meet the case in another place. What I wish to ask is whether the hon. Gentleman will not go a step further. He admits that this Bill in its existing shape requires amendment, but he is not satisfied with this Amendment. Will he definitely promise that whatever the conference does, or whether it comes to any decision or not, the Government will put in an Amendment in another place to meet this difficulty? Surely it is a reasonable thing to give a pledge of this kind when the hon. Gentleman the Secretary to the Local Government Board admits that the Bill may create a great injustice to farmers.

*MR. T. W. RUSSELL: I have already gone as far as it is possible for a Department to go in this matter. If the House accepts this Amendment it will put an impossible provision in the Bill, and I think I have made a perfectly fair offer.

Question put.

The House divided: — Ayes, 98; Noes, 99. (Division List No. 174.)

AYES.

Acland-Hood, Capt. Sir A. F.	Cohen, Benjamin Louis	Flavin, Michael Joseph
Archdale, Edward Mervyn	Colville, John	Giles, Charles Tyrrell
Arnold-Forster, Hugh O.	Cooke, C. W. Radcliffe (Here'd)	Godson, Sir Augustus Fredk.
Baldwin, Alfred	Crombie, John William	Gold, Charles
Billson, Alfred	Cubitt, Hon. Henry	Goldsworthy, Major-General
Birrell, Augustine	Dalkeith, Earl of	Goulding, Edward Alfred
Blakiston-Houston, John	Daly James	Green, W. D. (Wednesbury
Boulnois, Edmund	Dickinson, Robert Edmond	Gull, Sir Cameron
Bowles, Capt. H. F. (Middlesex	Dillon, John	Gunter, Colonel
Broadhurst, Henry	Donelan, Captain A.	Gurdon, Sir William Brampton
Buxton, Sydney Charles	Doogan, P. C.	Hardy, Laurence
Caldwell, James	Dunn, Sir William	Hayne, Rt. Hon. Charles Seale-
Carew, James Laurence	Engledew, Charles John	Hermon-Hodge, Rbt. Trotter
Carson, Rt. Hon. Sir Edw. H.	Eversbed, Sydney	Hudson, George Bickersteth
Cecil, Lord Hugh (Greenwich	Field, William (Dublin)	Jacoby, James Alfred

Jones, William (Carnarvonsh.
Kenyon, James
Kinloch, Sir John G. Smyth
Kitson, Sir James
Langley, Batty
Long, Col. C. W. (Evesham)
Macaleese, Daniel
MacNeill, John Gordon Swift
M'Calmont, Col. J. (Antrim, E.)
M'Ghee, Richard
M'Hugh, Patrick A. (Leitrim)
M'Iver, Sir L. (Edinburgh, W.)
M'Killop, James
Malcolm, Ian
Meysey-Thompson, Sir H. M.
Milbank, Sir Powlett Chas. J.
Moore, William (Antrim, N.)
Morgan, Hon. F. (Monm'thsh.
Morrell, George Herbert
Morrison, Walter
Morton, A. H. A. (Deptford)
Murnaghan, George
Nicol, Donald Ninian
O'Brien, James F. X. (Cork)
O'Brien, Patrick (Kilkenny)
O'Connor, Jas. (Wicklow, W.)
O'Connor, T. P. (Liverpool)
O'Malley, William
O'Neill, Hon. Robert Torrens
Pender, Sir James
Percy, Earl
Philipps, John Wynford
Pilkington, R. (Lancs., Newt'n
Power, Patrick Joseph
Pretyman, Ernest George
Pym, C. Guy
Richardson, J. (Durham, S.E.)
Robinson, Brooke
Saunderson, Rt Hn. Col. Edw. J.
Sharpe, William Edward T.
Sidebotham, J. W. (Cheshire)
Sidebottom, William (Derbys.
Stock, James Henry
Sullivan, Donal (Westmeath)
Tollemache, Henry James
Walton, Joseph (Barnsley)
Warner, Thomas Courtenay T.
Williams, John Carvell (Notts.
Willoughby de Eresby, Lord
Wills, Sir William Henry
Wylie, Alexander
Wyvill, Marmaduke D'Arcy
Young, Samuel (Cavan, East)

TELLERS FOR THE AYES—
Mr. Strachey and Mr. Hobhouse.

NOES.

Anstruther, H. T.
Ashton, Thomas Gair
Bailey, James (Walworth)
Baker, Sir John
Beach, Rt. Hn. Sir M. H. (Bristol
Bill, Charles
Blundell, Colonel Henry
Boscawen, Arthur Griffith-
Brassey, Albert
Brown, Alexander H.
Bullard, Sir Harry
Butcher, John George
Campbell, Rt Hn J. A. (Glasgow
Cavendish, V. C. W. (Derby.)
Chamberlain, J. A. (Worc'r.)
Chaplin, Rt. Hon. Henry
Clancy, John Joseph
Coghill, Douglas Harry
Collings, Rt. Hon. Jesse
Colomb, Sir John C. Ready
Colston, Chas. Edw. H. Athole
Corbett, A. Cameron (Glasgow
Cross, Herb. Shepherd (Bolton
Curzon, Viscount
Dorington, Sir John Edward
Douglas, Rt. Hon. A. Akers-
Douglas, Charles M. (Lanark)
Doxford, Sir William Theodore
Duckworth, James
Fellowes, Hon. Ailwyn Edward
Fisher, William Hayes
FitzGerald, Sir Rbt. Penrose-
Fitzmaurice, Lord Edmond
FitzWygram, General Sir F.
Flower, Ernest
Galloway, William Johnson
Gibbons, J. Lloyd
Gorst, Rt. Hn. Sir John Eldon
Helder, Augustus
Hemphill, Rt. Hon. Chas. H.
Holland, William Henry
Horniman, Frederick John
Howard, Joseph
Hutton, Alfred E. (Morley)
Hutton, John (Yorks, N.R.)
Jebb, Sir Richard Claverhouse
Jeffreys, Arthur Frederick
Johnston, William (Belfast)
Kenyon-Slaney, Col. William
Knowles, Lees
Lafone, Alfred
Lawson, Sir W. (Cumberland)
Llewelyn, Sir Dillwyn (Swansea
Lockwood, Lieut.-Col. A. R.
Loder, Gerald Walter Erskine
Long, Rt. Hon. W. (Liverpool)
Lopes, Henry Yarde Buller
Lowther, Rt. Hn. J. W. (Cumb'd
Loyd, Archie Kirkman
Macartney, W. G. Ellison
Maclure, Sir John William
M'Crae, George
M'Kenna, Reginald
Melville, Beresford Valentine
Middlemore, J. Throgmorton
More, Robt. Jasper (Shropshire)
Mount, William George
Murray, Col. Wyndham (Bath
Myers, William Henry
Palmer, George Wm. (Reading)
Platt-Higgins, Frederick
Plunkett, Rt. Hn Horace Curzon
Powell, Sir Francis Sharp
Renshaw, Charles Bine
Richardson, Sir Thos. (Hartlep'l
Ridley, Rt. Hn. Sir Matthew W.
Robertson, Edmund (Dundee)
Russell, T. W. (Tyrone)
Samuel, H. S. (Limehouse)
Samuel, J. (Stockton-on-Tees)
Scoble, Sir Andrew Richard
Seely, Charles Hilton
Smith, Abel H. (Christchurch)
Smith, J. Parker (Lanarks.)
Soames, Arthur Wellesley
Souttar, Robinson
Stanhope, Hon. Philip J.
Tomlinson, Wm. Edw. M.
Walrond, Rt. Hn. Sir William H
Wason, Eugene
Whiteley, H. (Ashton-under-L.
Williams, J. Powell- (Birm.)
Wilson, John (Durham, Mid)
Wilson-Todd, W. H. (Yorks.)
Wolff, Gustav Wilhelm
Wortley, Rt. Hn. C. B. Stuart-
Wrightson, Thomas
Wyndham, George
Yoxall, James Henry

TELLERS FOR THE NOES—
Colonel Welby and Mr. Purvis.

Bill to be read the third time.

NEWCASTLE-UPON-TYNE ELECTRIC SUPPLY BILL.

As amended, considered.

Ordered, That Standing Orders 223 and 243 be suspended, and that the Bill be now read the third time.—(*Mr. Caldwell.*)

Queen's consent signified. Bill read the third time, and passed.

SCARBOROUGH CORPORATION BILL.

As amended, considered.

Ordered, That Standing Orders 223 and 243 be suspended, and that the Bill be now read the third time.—(*Mr. Caldwell.*)

Queen's consent signified. Bill read the third time, and passed. [New Title.]

TAUNTON CORPORATION BILL.
(BY ORDER.)

As amended, considered.

WALSALL CORPORATION BILL [Lords].

Read a second time, and committed.

DUBLIN, WICKLOW, AND WEXFORD RAILWAY BILL [Lords]. (BY ORDER.)

Read a second time, and committed.

GREAT INDIAN PENINSULA RAILWAY COMPANY BILL.

Ordered, That, in the case of the Great Indian Peninsula Railway Company Bill, Standing Order 236 be suspended, and that the Committee have leave to proceed with the Bill To-morrow.—(*The Chairman of Ways and Means.*)

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 10) BILL.

TRAMWAYS PROVISIONAL ORDERS (No. 5) BILL.

Read the third time, and passed.

ALEXANDRA PARK BILL.

BARNSLEY CORPORATION BILL [Lords].

DONEGAL RAILWAY BILL [Lords].

Reported, with Amendments; Reports to lie upon the Table, and to be printed.

FISHGUARD AND ROSSLARE RAILWAYS AND HARBOURS BILL [Lords].

Reported, without amendment; Report to lie upon the Table, and to be printed.

LONDON SEA WATER SUPPLY BILL [Lords].

Reported, with Amendments; Report to lie upon the Table.

GLYNCORRWG URBAN DISTRICT COUNCIL GAS BILL [Lords].

GWYRFAI RURAL DISTRICT COUNCIL WATER BILL [Lords].

SOUTH STAFFORDSHIRE TRAMWAYS BILL [Lords].

Reported, with Amendments; Reports to lie upon the Table, and to be printed.

SHANNON WATER AND ELECTRIC POWER BILL.

Reported, with Amendments; Report to lie upon the Table.

PRIVATE BILLS (GROUP K).

Sir FREDERICK GODSON reported from the Committee on Group K of Private Bills, That, for lack of business, the Committee had adjourned till Friday, at Eleven of the clock.

Report to lie upon the Table.

PETITIONS.

CYCLES AND MOTOR CARS AND MOTOR CYCLES.

Petition from Depwade, for taxation; to lie upon the Table.

EDUCATION OF THE BLIND (SCOTLAND) BILL.

Petition from Edinburgh, in favour; to lie upon the Table.

SALE OF INTOXICATING LIQUORS ON SUNDAY BILL.

Petitions in favour, from Newcastle-on-Tyne (two); Bothal; and Tynemouth (four); to lie upon the Table.

SALE OF INTOXICATING LIQUORS TO CHILDREN (No. 2) BILL.

Petitions in favour, from Belfast; Hartshead; Margam; Westminster; Sheffield; Varteg; Aberavon; Deeping St. James; Peterborough; Helpston; Leicester (two); Warminster Common; Ampthill; Luton; Wheatley Hill; Thornley; Trimdon Grange; Wingate; Wellington; Bothal; Newcastle-on-Tyne (two); and Tynemouth (four); to lie upon the Table.

SALE OF INTOXICATING LIQUORS TO CHILDREN (SCOTLAND) BILL.

Petition from Largs, against; to lie upon the Table.

Petitions in favour, from Glasgow; Old Monkland; Montrose; and Lerwick; to lie upon the Table.

SUNDAY CLOSING (MONMOUTHSHIRE) BILL.

Petitions in favour, from Wingate; Trimdon Grange; Thornley; Wheatley Hill; Margam; Leeds (two); Salterforth; Leicester; Clifton; Newcastle-on-Tyne (two); and Tynemouth (four); to lie upon the Table.

SUNDAY CLOSING (WALES) ACT (1881) AMENDMENT BILL.

Petition from Margam, in favour; to lie upon the Table.

RETURNS, REPORTS, ETC.

KILRUSH HARBOUR (PROPOSED PROVISIONAL ORDER).

Return presented, relative thereto [ordered 3rd July; *Major Jameson*]; to

lie upon the Table, and to be printed. [No. 249.]

PROSECUTION OF OFFENCES ACTS, 1879 AND 1884.

Return presented, relative thereto [Address 29th June; *Mr. Jesse Collings*]; to lie upon the Table, and to be printed. [No. 251.]

PAPER LAID UPON THE TABLE BY THE CLERK OF THE HOUSE.

Charitable Endowments (London).—Further Return relative thereto [ordered 2nd August, 1894; *Mr. Francis Stevenson*]; to be printed. [No. 252.]

ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 7) BILL.

Copy ordered, "of Memorandum stating the nature of the Proposals contained in the Provisional Orders included in the Electric Lighting Provisional Orders (No. 7) Bill.—(*Mr. Ritchie.*)

COAL MINES (PROHIBITION OF CHILD LABOUR UNDERGROUND) BILL

CHANGED TO

"MINES (PROHIBITION OF CHILD LABOUR UNDERGROUND) BILL."

Lords Amendments to be considered upon Monday next, and to be printed. [Bill 282.]

LAND REGISTRY (NEW BUILDINGS) BILL.

Ordered, That the Report (with Minutes of Proceedings) from the Select Committee on the Land Registry (New Buildings) Bill, laid upon the Table upon the 25th day of May last, be printed.—(*Mr. Akers Douglas.*)

TITHE RENT-CHARGE (IRELAND) BILL.

Considered in Committee.

(In the Committee.)

[Mr. J. W. LOWTHER (Cumberland, Penrith) in the Chair.]

Clause 2:—

MR. CLANCY (Dublin County, N.) said there was an Amendment on the Paper in the name of the hon. Member for North Louth, and in place of it he should move another. The Bill consisted practically of two parts, and the discussion on the previous night was mainly devoted to the first portion. The second half chiefly related to the method in which the tithes were variable. It was impossible to discuss this clause without referring to the general provisions contained in the Bill with reference to the variation of the tithe in the future. The Amendment he had to move in lieu of that standing in the name of the hon. Member for North Louth was to the effect that the tithe rent-charge should be varied in accordance, not with the variation in judicial rents, but with the difference in prices and the cost of cultivation. If the proposal were carried, the first subsection of the clause would read as follows—

"As soon as possible after the passing of this Act, the Land Commissioner, having regard to the difference in prices affecting agriculture and the cost of cultivation in the counties, poor law unions, or other areas, between the fifteen years expiring on the 1st day of November next after the passing of this Act and the previous fifteen years, shall on any application to vary the tithe rent-charge in such area, and on proof that the applicant is entitled to have the same varied under the laws existing before the passing of this Act determine with reference to such area what variation, if any, ought in equity to be made in tithe rent-charge payable in respect of any hereditament situate in such area other than the tithe rent-charges payable to the Land Commission."

The clause of the Bill under consideration, like the first clause, constituted a most revolutionary proposal. He was referring, of course, also to the clauses which followed, and particularly to the third clause, for which this second clause was laying the foundation. The existing system of tithe variation, as they knew, was a most complicated one, and the right hon. Gentleman by his Bill proposed to sweep it away and to substitute for it an automatic variation of tithe rent-charge. This proposal might possibly be defended if the original tithe-owners or their descendants had never sold or leased the tithe rent-charges to other people. But in regard to the particular cases in which they had been sold and with which some attempt was made by the clause to deal, and especially in regard to those tithe rent-charges which were determined by the Act of 1872 to be invariable for the future, he maintained that the clause was absolutely revolutionary. Take, for instance, the case of tithe rent-charges

payable to the Land Commission. They were declared by the Act of 1872 to be no longer variable. There was a good reason for that declaration. The question was fully debated at the time, and the settlement arrived at was supposed to be final. On the supposition that it was final, the Land Commission in their treatment of the Church fund had made their calculations on that basis. To now undo that settlement after a lapse of twenty-eight years, and without anybody having asked that the tithes should be varied, was as bad as anything that was done or contemplated by the Parliament of James II. which the English Unionists had so vehemently protested against, especially during the Home Rule agitation. If that settlement were to be undone, especially after the funds had already been allocated to public purposes in Ireland, he could not imagine any answer to any demand which might be made in the future for the undoing of any settlement whatever. He would really like to hear some defence of the proposal. Take again the case of the lay tithes. In many cases they had been sold; they had been treated as articles of commerce; they had passed out of the landlords' hands and were now in the hands of all sorts of people. They had in many cases been acquired as investments for trustees, and this particular property had gone on changing hands for valuable consideration, the sale always being made on the supposition that the tithe was not variable. Yet now a Unionist Government, a Government of great conservators of property, and of great upholders of contract, proposed to abolish the system under which property had passed from hand to hand and family to family for the last fifty years, and to substitute a totally different principle for it!

*THE CHAIRMAN: The hon. Member is now discussing the whole Bill. As far as I can gather from the Amendment he read out, the only point now to be discussed by the Committee is whether it will accept the proposal contained in the Bill, viz., that the variation in judicial rent is to be taken as the standard of variation, or whether it will agree with the hon. Member that any alteration in prices is to be the standard.

MR. CLANCY: But I propose a very important addition—namely, "That on any application to vary tithe rent-charge in such area and on proof that the applicant is entitled to have the same varied under the laws existing before the passing of this Act," etc.

*THE CHAIRMAN: Perhaps the hon. Member will bring his Amendment to the Table.

MR. CLANCY did so, and on returning to his seat said he wished to explain the meaning of the words he had quoted. They had reference to the old system under which tithes were varied. He could not discuss this clause without referring to that particular subject, because its object was to lay a foundation for Clause 3. The system on which tithes had been varied in the past was a very complicated one and very difficult to work. It had not been very successful. He was glad to have the assent of the Chief Secretary to that.

*THE CHAIRMAN: As I understand it, the part of the hon. Member's Amendment dealing with the variation of tithe rent-charge is not in order on this clause at all. It should come on the next clause. I shall therefore have to strike those words out of the Amendment.

MR. CLANCY: I bow to your ruling, of course. I thought the same point was raised in the Amendment of the hon. Member for North Louth. It seems to me to be most convenient for the Government and for the Committee to discuss the whole question on the present Amendment. I should think the right hon. Gentleman will not object to that.

THE CHIEF SECRETARY FOR IRELAND (Mr. G. W. BALFOUR, Leeds, Central): The hon. Member must not take me as not objecting. This is purely a question of order. My experience is that when questions have been discussed on one Amendment they have been raised over and over again on other Amendments.

MR. CLANCY: My appeal was not to the right hon. Gentleman, but to the Chairman. I submit it is more convenient to take the debate now. I do not wish to detain the House unnecessarily.—The hon. Member then went on to point out the difficulties which attended the

present system of variation. Questions arose frequently as to who were really the owners of the tithe; it was not always possible to find in one parish three persons to sign the necessary notice; and the notices had to be given at a certain fixed period, and were directed to be posted on the principal outer door of the parish church, whereas sometimes there was no principal outer door, and even no parish church; and, finally, if the difference in price between one standard of comparison and another did not exceed 10 per cent., then the application for the variation of the tithe could not be granted at all. The result of these manifold requirements, as every lawyer knew, was that the variation of tithe was rendered almost impossible. People had bought on the supposition that this difficulty existed. They had taken leases——

*THE CHAIRMAN: The only part of the Amendment in order on this clause is that which suggests that the prices of agricultural produce shall be taken as the standard, instead of the change in judicial rents. The remainder is a matter for future discussion.

MR. DILLON (Mayo, E.): Is it not a fact that this clause proposes to substitute for the old method of varying tithe a new basis of variation; and is it not perfectly competent for us to compare the old method with the new?

*THE CHAIRMAN: The hon. Member was not comparing the two methods. I do not gather that he has attempted to do that.

MR. CLANCY: Technically, perhaps, I may not be in order; but I put it to the Committee whether it would not be convenient to discuss this matter once and for all.

*THE CHAIRMAN: I think it is very inconvenient. The best thing is to take each Amendment as it comes up.

MR. CLANCY said he was afraid that that would greatly lengthen the discussion. He failed to see that the right hon. Gentleman had given any special reasons for his proposal. One great objection on the part of those who represented the public interest in Ireland, as distinct from the landlord class, was that these judicial rents were rents in regard to which—and for the greater part of the last fourteen or fifteen years—no proper distinction had been drawn between reductions effected in respect of changing circumstances and those made in respect of improvements made by the tenants. If it were possible to draw such a distinction—and he feared it was not—then there might be something to be said for substituting the new principle for the old. This was, however, a fatal objection, as it gave the landlords advantages to which they were not entitled, and for their benefit an inroad was being made for no reason whatever on a public fund devoted to public purposes. The idea was to get the largest possible reduction for the landlord class. The modified form he suggested had the sanction of convenience, custom, and tradition; and as one representing public interests, which were deeply concerned in inroads upon the Church Fund, he could not consent to the Government proposal. After the ruling of the Chairman he thought he had better put aside his own Amendment and adopt that of the hon. Member for North Louth, which he begged to move.

Amendment proposed—

"In page 1, line 23, to leave out from the word 'Commission,' to the word 'shall,' in page 2, line 4, and insert the words 'having regard to the difference in prices affecting agriculture in counties, poor law unions, or other areas, between the fifteen years expiring on the first day of November next after the passing of this Act and the previous fifteen years.'"—(*Mr. Clancy.*)

Question proposed, "That the words proposed to be left out to the word 'and,' in page 2, line 4, stand part of the clause."

MR. DALY (Monaghan, S.) said he considered the course proposed in the clause to be a very dangerous one. The matter should be settled as heretofore, and the tithes should not be varied at all. The Irish Land Commission was a body not favourable to the Irish tenants, and if it had power it would exercise it in favour of the landlords and against the tenants. He therefore felt that his hon. friends were perfectly right in opposing the clause. The manner in which the Irish Land Commission collected statistics was to send representatives to fairs, and

he had known himself that excessive prices had often been collected. Oftentimes the representative of the Land Commission met the person who had obtained the highest or the lowest price at the fair, and he did not consider that a fair criterion on which to fix prices throughout the whole of Ireland. He hoped his hon. friends would oppose the clause.

MR. G. W. BALFOUR: The speech just delivered by the hon. Gentleman leaves me in doubt whether he has either read the clause or the Amendment, and it also leaves me in doubt whether he intends to support the Amendment or not. What is the question raised by this Amendment? It is that we shall substitute for the proposal in the clause a provision stating that the Land Commission shall have regard to the difference in prices affecting agriculture in counties, poor-law unions, or other areas between the fifteen years expiring on the 1st November next and the previous fifteen years. According to the hon. Gentleman's speech the Land Commission is not an efficient body to collect prices, and in that case, of course, he ought to vote against the Amendment; but there are greater objections to the Amendment than those which the hon. Member has just laid before the Committee. What is proposed under the Amendment is that the prices from 1885 to 1900 should be compared with the prices from 1870 to 1885, but as a matter of fact there are no records of prices from 1870 to 1885, and on that ground alone the Committee will see that it would be impracticable to adopt the Amendment. One of the objections urged by the hon. Member for North Louth on the Second Reading of the Bill was that we proposed to put too great a responsibility on the Land Commission. The Land Commissioners, it was said, were the guardians of the Church Fund, and it was not right that they should have any interest in fixing figures by which the fund would be affected. But our proposal, which is automatic, depends on the rents fixed by the Sub-Commissioners all over Ireland, and would throw nothing like the responsibility on the Land Commissioners that the Amendment would, because the Amendment provides that the Land Commissioners shall not only determine prices in these different areas, but shall also determine how far the tithe rent-charge should be equitably reduced. Under these circumstances we cannot accept the Amendment. It would involve a responsibility which ought not to be placed on the Land Commissioners.

MR. DILLON: The speech to which we have just listened illustrates very forcibly the extraordinary position to which we have been brought by the methods adopted in connection with this Bill. The chief part of the speech of the right hon. Gentleman dealt with the tail of the Amendment which has just been cut off.

MR. G. W. BALFOUR: Only one sentence.

MR. DILLON: I want to direct the attention of the Committee to the fact that by the cutting off of the tail of the Amendment we have in the first place rendered it unreadable—it will not fit into the clause—and in the next place the meaning of the Amendment has been absolutely altered, and a very valuable Amendment it was. You are substituting for the law which existed for half a century a new method of machinery for varying the tithe rent-charge, and it is absolutely outside the scope of human intelligence to debate an Amendment on Clause 2 or Clause 3 without referring to the whole of the machinery you propose. Clause 2 leads up to Clause 3, and has no meaning or purpose except as considered with Clause 3. Clause 2 proposes to substitute a new basis of variation for the old system, and my point is that if at the beginning of Clause 2 you lay down the machinery, you govern the whole of the discussion on the remainder of Clause 2, and also on Clause 3. Therefore I maintain, with all due respect and submission to the Chair, and without the slightest intention of controverting the Chairman's decision, that the entire Amendment is in order. It was drafted by the hon. Member for North Louth, who is undoubtedly and by admission a past master in the art of drafting Amendments. The Amendment was put down for the purpose of altering the entire machinery by which it is proposed to vary the tithe rent-charge, and if it were carried it would affect materially, and necessitate consequential alterations in, Clause 3. I hold that it is impossible to discuss the machinery and method of

the variation of the tithe rent-charge with due regard to order after the first sub-section of Clause 2 is passed, because if you impose on the Land Commission the duty of ascertaining the average reduction in judicial rents, it will then be argued that we have laid down the principle; because it may be said, "Why should the Land Commission ascertain the variation respecting judicial rents if not for the purpose of varying the tithe rent-charge?" According to your ruling, Sir, the whole Clause will be turned into nonsense if this Amendment is left as it is. The Amendment proposes to leave out all the words from "Commission," in line 23, page 1, to "and" in page 2, line 4, and to substitute the following words—

"Having regard to the difference in prices affecting agriculture in counties, poor-law unions, or other areas, between the fifteen years expiring on the first day of November next after the passing of this Act and the previous fifteen years shall determine with reference to such areas what variation (if any) ought equitably to be made in the tithe rent-charge payable in respect of hereditaments situate in such area."

The result of your ruling, even with the consequential Amendment to leave out the word "and," would be that the meaning of the Amendment would be totally different to what was intended. It was never contemplated that the tithe rent-charge should be varied in direct ratio to the variation of prices. That was not the Amendment at all. The proposition in the Bill is that the tithe rent-charge should vary with the same variation as the judicial rents. The Amendment proposed to substitute a different proposal — not that the tithe rent-charge should vary in direct proportion to the variation in prices—but that having regard to the variation of prices, the Land Commission shall determine what variation (if any) ought equitably to be made. It proposes to leave it to the Land Commission, in the first place, to determine whether there is any equitable case for variation at all; and in the second place, supposing there is, what variation should be made; but no one ever dreamt of laying down the proposition that the variation in tithe should be in direct ratio to the variation of prices. As now presented, however, the Amendment contains a diametrically opposite proposal to what was intended. I have been very much impressed by our experience during the debates on this Bill. It is a Bill of vast importance to Ireland, and with the exception of the Local Government Bill it is the most important measure introduced during this Parliament. And yet look at the condition of the House. Is it not enough to make an Irish Member despair? There are two or three unfortunate hungry Irish landlords looking on and waiting for their share of the Church Fund; there is a body of Irish Nationalists on this side, and five or six English Members, while a Bill, very technical and very difficult, dealing with a great public fund badly required for public uses in Ireland, is under discussion. Hon. Members are scattered over the reading-rooms and dining-rooms of this House, and they will come in to vote without knowing in the least what a particular Amendment is about. It is perfectly outrageous; and yet we are told we have only got to come to this great intelligent and impartial Legislature to get all our demands considered. I venture to affirm with absolute confidence that, of the English Members voting on these various Amendments, not one in a 100 has the faintest conception of them. I think it is disheartening that we should be compelled to carry on this debate under such extraordinary circumstances. With reference to this Amendment, I do not know whether to support it or oppose it. The Amendment on the Paper is, I think, perfectly in order.

Attention called to the fact that forty Members were not present (Mr. CRILLY, Mayo, N.). House counted, and forty Members being found present,

MR. DILLON (continuing): I have been endeavouring to explain the difficulty we are in in connection with this Amendment. As the Amendment appeared on the Paper it would receive my most hearty support, because it raised a most important issue; but the tail of the Amendment has been ruled out of order, and the extraordinary result is that it now has, as I submit, an entirely opposite effect to what was intended. I cannot see how it can be contended that it is out of order to debate the whole question of the machinery for the revision of tithe rent-charge on the first sub-section of Clause 2, when if the the sub-section is allowed to remain as it is you prejudge to a very considerable extent the question of the machinery to

be provided. I think we are entitled, therefore, to know whether we are not at liberty to move the Amendment as it appears on the Paper.

*THE CHAIRMAN: The hon. Member appears to think that this is the first Amendment ever appearing on the Paper that has been ruled out of order. Part of the Amendment is in order, and part of it is out of order. Clause 2 lays down the standard which is to be arrived at by some means or other by the Land Commission as to the variation which should take place in tithe rent-charge. The Amendment on the Paper suggests another means of arriving at that standard. Clause 3 goes on to say that, having arrived at that standard showing the variation now existing as compared with fifteen years ago, it is to be applied in dealing with tithe rent-charge. The matter is divided into two sections instead of being in one. It is quite impossible to allow an Amendment on one of these clauses which would really give the go-by to the subject-matter contained in the other. The proper course for the hon. Member, if he does not approve of my ruling, is to withdraw the Amendment and object to the whole clause. The hon. Member says that by accepting the first and remaining sections of Clause 2 his hands are tied with regard to Clause 3; but it is open to him to move the rejection of Clause 2, and having got rid of it he could then suggest some other means for varying tithe rent-charge to that suggested in the Bill.

MR. DILLON: There is very considerable difficulty in dealing with this Amendment under these restrictions. I did not imagine that no Amendment on the Paper had ever been ruled out of order. I suppose 500 of my own have been ruled out of order during my Parliamentary career; but in this particular instance the effect of the operation is of a most extraordinary character, because it has completely altered the Amendment, and the clause will not read. The clause as it stands is quite clear, but the ruling of the Chair with regard to the Amendment has thrown the matter into confusion. The sense of the Amendment is altered, and I contend that it does not read into the clause at all.

*SERJEANT HEMPHILL (Tyrone, N.): If I am in order, may I most respectfully ask you, Mr. Chairman, to read the whole Amendment now, so that I may know exactly what I have to deal with?

*THE CHAIRMAN: I endeavoured to save the Amendment as far as I could by cutting out only that which was disorderly. Of course, I am not responsible for the original form of the Amendment. The Amendment will read—

> "As soon as possible after the passing of this Act the Land Commissioners, having regard to the difference in prices affecting agriculture in counties, poor law unions, or other areas, between the fifteen years expiring on the 1st day of November next, after the passing of this Act, and the previous fifteen years, shall certify the average percentage which such variation represents."

*SERJEANT HEMPHILL: As that stands there is no variation to which the "such" refers. As the Amendment originally stood there was a variation of one period of fifteen years, and another period of fifteen years, and the Land Commission was to—

> "determine, with reference to such areas, what variation, if any, ought equitably to be made in the tithe rent-charge payable in respect of hereditaments situate in such areas."

Thus the words "such variation" has reference to what was contemplated by the hon. and learned Member for North Louth. But even as the Amendment now stands on the Paper it raises a very important question of principle, because undoubtedly what is sought by Section 2, and which will be somewhat qualified by the Amendment of the hon. and learned Member for North Louth, is to confiscate a very considerable portion of the Church Fund of Ireland. The effect of making the reduction of rents by the Land Commissioners the standard by which the rent-charge is to be raised or lowered will be to lop off some 20 or 25 per cent. from the existing tithe rent-charge. That is a very serious step. I am very glad that there are even forty Members of the House now present, because last night, when the House was full, and when an opportunity might have been offered to explain to English and Scotch Members the morass into which the Government was leading the House, we were closured on Clause 1. Now that there are a few Members here, I want to call their attention to what has been done on this Clause 2. We are practically reducing

the tithe rent-charge now payable in Ireland by 25 per cent. That is a very great boon, undoubtedly, to the tithe-payer, but in doing that we are repealing one of the most solemn statutes on the Statute-book—namely, the Act which disestablished the Irish Church. That was the result of a long period of agitation, and was forced upon this House by the Imperial necessities of the time.

MR. G. W. BALFOUR: I rise to a point of order. Surely the application of this provision to the period of fifty years rent-charge is a matter that will be more conveniently raised later on.

*SERJEANT HEMPHILL: I am not speaking now of the difference between ecclesiastical and lay tithes; I am speaking of the meaning, if it has any, of this section, and the standard by which the tithe rent-charge is to be reduced by 25 per cent. That is my proposition, and if it is wrong it can be met by argument. What I was going to say to recently arrived English and Scottish Members of this House was that by the 68th section of the Church Act a trust is imposed upon the Church Fund which we have no right to violate or break, and which, if it were a private trust, could not be violated. What is that trust? By the 68th section of the Act it is declared that the surplus of the Church Fund is to be devoted "to the relief of unavoidable calamity and suffering in Ireland." That is at the basis of all Irish legislation for the last thirty-one years.

*THE CHAIRMAN: The right hon. Gentleman is now travelling beyond the limits of the Amendment, to which he must confine himself.

MR. SWIFT MACNEILL (Donegal, S.): With great respect, Mr. Lowther, on a point of order, is not my right hon. friend justified in describing the effect of the proposed standard of variation in the clause, and in showing that that effect is in fraud of the Church Fund?

*THE CHAIRMAN: There are two alternatives now before the Committee, as I have repeatedly pointed out. One alternative is that a standard should be fixed by the Land Commission on the basis of judicial rents, and the other alternative is that the basis to be taken should be the prices of agricultural produce. That is now the question before the Committee, and the only one. As to whether any standard should be fixed at all, that will come on for debate on the question that Clause 2 stand part of the Bill.

MR. SWIFT MACNEILL: Is not my right hon. friend absolutely in order in showing what the effect on the Church Fund would be of the section now before the House if it is not modified by the Amendment proposed by the hon. and learned Member for North Louth?

*THE CHAIRMAN: The right hon. Gentleman has not referred to the Amendment, and was not discussing the second alternative; he was discussing the effect of the whole case.

*SERJEANT HEMPHILL: How could I convey two sentences in one breath? The object of this clause is to alter the old existing standard, and how can I possibly argue that this clause is imperfect or bad, and that the Amendment would improve it, unless I called the attention of the House to the history of this matter?

*THE CHAIRMAN: In my opinion, that ought to be gone into when the question is put that Clause 2 stands part of the Bill. I do not think it is competent to go into history upon an Amendment which would take another basis for variation from that in the clause as it stands. The right hon. Gentleman may compare the two methods in arriving at his conclusions.

*SERJEANT HEMPHILL: I bow, with the utmost deference, to your ruling, and shall endeavour, if possible, to keep myself within it. Now, what reason has been assigned, either to-day or when the Bill was introduced, for this organic change in the standard for fixing the tithe rent-charge in Ireland, which has existed for more than seventy years? The Act which regulated the mode by which tithe rent-charge, or tithe composition, was fixed was 2 and 3 William IV. It was a perfectly fair mode. They were to ascertain the average price of wheat or corn, according to whether wheat or corn was the staple cereal of the district, for

the previous seven years, and when so ascertained to compare the average of seven years with seven years, and vary the tithe rent-charge according to the variation resulting from that comparison. Now that law has never been changed; but this Bill comes in and suggests a change in the system deliberately adopted nearly seventy years ago. What has occurred to make such a change desirable? The object of the Amendment is that if you will have a new system let it approach as closely as possible to the old system, and let it be regulated not by fixing it on judicial rents—the effect of which will be, as I have said, to reduce the Church property growing out of tithe rent-charge by 25 per cent—but by fixing it on the prices of wheat and corn in particular areas. That is the way I was coming to the object of the Amendment, and to ground my reasoning why the Amendment should be adopted. The Amendment says—

"The Land Commission, having regard to the differences in prices affecting agriculture in counties, poor-law unions, or other areas, between the fifteen years expiring on the first day of November next after the passing of this Act and the previous fifteen years shall determine with reference to such areas what variation, if any, ought equitably to be made in the tithe rent-charge payable in respect of hereditaments situated in such area."

That is following exactly the principle of the old valuation, and the words are in substance the same as those in Section 6 of the Act 2 and 3 William IV., chapter 119, which is as follows—

"That all compositions heretofore or which may hereafter be made and established in any parish shall . . . . remain and endure for ever, or until the same shall have been redeemed or extinguished . . . . but subject, nevertheless, to such variation from time to time . . . . in the amount of such compositions as hereafter mentioned; that is to say, in respect of all compositions heretofore made and established, to variation at such periods as such compositions may now be respectively liable to; and in respect of such compositions as may be invariable during the whole period of twenty-one years for which they may have been made, to variation at the termination of such period, and thenceforth at any time between the First of May and First of November in each succeeding seventh year; and in respect of all such compositions hereafter to be established, to variation between the First of May and First of November in each seventh year next after the day from which each such composition shall commence."

All that the Amendment does is to substitute fifteen years for seven years. Why alter this old standard, and make the standard the result of the judicial rents? It is only to placate the supporters of the Government in Ireland. The object of the whole Bill is to stop the mouths of the tithe-payers, who have been indignant at not being compensated for the loss of their rents through the operation of the Land Acts. It is a sop to them, and the effect will be to reduce the tithe to which they are now liable by 25 per cent. The excuse for altering the standard is that, by the omission of its duty on the part of some Government Departments in Dublin, the *Dublin Gazette* failed to publish since 1887 statistics showing what the average price of wheat and corn had been, and because of that omission the Court had decided in Metge's case that as we have no standard to compare with now, the tithe must remain as it stood at the last previous revision. But a short Bill might have been brought in enabling the standard to be ascertained and set up—a similar standard to that provided in 1838, when the landlords of Ireland got 25 per cent. of their tithe rent-charge struck off which would otherwise have been payable to the parson. There was never such a confiscatory measure as this, because it unsettles that solemn compact by which 25 per cent. was given up by the poor parson for the purpose of having the 75 per cent. better secured. The landlords were glad to take that from the parson, and the receivers of tithe were content; but now they are not satisfied with that settlement made in 1838, and wish to rob the Church Fund to the extent of another 25 per cent.

MR. CRILLY (Mayo, N.): Order, order! I object to the Chief Secretary speaking to the Chairman. Let him leave the Chairman alone.

*THE CHAIRMAN: The right hon. Gentleman is in charge of the Bill, and he is perfectly entitled to give me any explanation I may desire.

*SERJEANT HEMPHILL: Surely his explanations ought to be given in the face of the House. I cannot possibly address the Committee when these conferences are going on.

*THE CHAIRMAN: The right hon. Gentleman will see that it is impossible

for me to get up and ask the Minister for the information I need.

*SERJEANT HEMPHILL: This is a very serious matter. I do not know whether any member of the Church of Ireland is present, but the Church was robbed of 25 per cent. of its income in 1838, and now what is represented as the Irish Church Surplus Fund is being further robbed of a similar amount. I daresay it is not pleasant to hear these statements made on the floor of the House; but I speak what I believe to be true, and I am utterly regardless whether I give satisfaction to any Member of the House or not. I know that Ireland was a scene of bloodshed, and not until the Tithe Composition Act was passed, over seventy years ago——

*THE CHAIRMAN: Order, order! The right hon. Gentleman is really irrelevant in going back on the history of tithe, which has nothing to do with the Amendment now before the Committee.

*SERJEANT HEMPHILL: What I say is this: that no reason has been assigned for this Bill. We are not to pass every Bill that a Government, no matter how strong, brings in, at any rate without thorough discussion. There has been no public demand for this Bill, no agitation, no boycotting, no material reason for it. It is brought forward without any explanation or comment. The right hon. Gentleman does not condescend to tell the Committee why, instead of following the old Act and getting rid of some omission of duty on the part of some Department of the Government in Ireland, he substitutes a standard for revising the tithe rent-charge in the future, which will diminish the Church property by 25 per cent. Let the right hon. Gentleman get up and say that I am wrong in my calculations. He has not told us what the practical effect of this change will be on the Irish Church Surplus Fund, which was devoted by Act of Parliament "to the relief of unavoidable calamity and suffering" amongst the Irish people. He is bound, as a trustee of the State, before he violates that trust, to tell the House of Commons to what extent he is going to impair or encroach on that fund. Neither in his opening statement nor at any period of this debate has he intimated to the House what will be the effect on the Church Fund in pounds, shillings, and pence of this legislation. I think the House is entitled to that information. Some hon. Members may think that they are not. That is their concern, not mine. But it is a matter in which their constituencies are interested even more than mine, because the Imperial Exchequer must make good all the differences in the Irish Church Fund, upon the faith of which public money to the extent of nine or ten millions have been already advanced. So do not let hon. Members imagine that this is only an Irish question, and that they will not have to render an account of it to their own constituents.

*THE CHAIRMAN: Order, order! The right hon. Gentleman is again wandering from the question before the Committee. He must confine himself to the Amendment; otherwise I shall have very reluctantly to call his attention to the Order against irrelevancy.

*SERJEANT HEMPHILL: Of course, Mr. Lowther, I bow to your ruling; but I confess that, while I do so, it seems to me that it amounts to this: that all I can say is that the Amendment is better than the original clause, and therefore I vote for the Amendment.

*MR. JEFFREYS (Hampshire, N.): The right hon. Gentleman says that, if this clause is carried, the tithe rent-charge will be reduced by 25 per cent. on account of the reduction in the judicial rents. I understand him to say that he would sooner go back to the old method of fixing the tithe rent-charge by the average corn prices. But if he did so, instead of reducing the tithe rent-charge by twenty-five per cent. it would reduce it thirty-three per cent.

*SERJEANT HEMPHILL: The rent-charge was not abolished by the Act of 1872 as to lay tithe. The lay tithe is exactly in the same position as before.

*MR. JEFFREYS: What I wish to point out is that the reduction of the tithe on the price of cereals is much greater than would be the reduction on the basis of judicial rents. At the present time in England every £100 of tithe is

only worth £66 15s. 10d., while hon. Members will remember that in 1878 every £100 of tithe was worth £112, showing a fall since 1878 of 43 per cent. Therefore it would be much better to acquiesce in the terms of the Bill, to the reduction of the tithe according to judicial rents, than to corn averages. I have always myself thought it was very difficult to settle the tithe rent-charge on the average price of corn, because by Act of Parliament the prices have to be recorded in various towns and are not accurately taken. It would be much easier to fix the tithe rent-charge in the various localities according to the rents in those localities. It seems to me only fair and just that tithe should be reduced according as rents have been reduced. All these payments have to come out of the land, which must support three classes of people—the landlord, the tenant, and the labourer; and if the tithe is reduced, the better it will be for all; and if it benefits all three classes, surely every Irishman, whether landlord, or tenant, or labourer, should be in favour of the Bill. The hon. Member for Dundee rather expostulated with the Government for going on with this Bill as a flirtation with the landlords; and then he took occasion to find great fault with the Government for having reduced the rates on land in favour of the farmers. Surely if that was introduced into Ireland, everybody would agree that it would be a most excellent measure. Then he went on to say that the Government had relieved the landlords of some part of the land tax.

*THE CHAIRMAN: The hon. Gentleman is not in order in discussing speeches made on an Amendment on another clause which was disposed of yesterday.

*MR. JEFFREYS: I only wish I had been present last night. I trust that this relief to be given to the landlords of Ireland will meet with the approval of a great number of Irish and English and Scottish gentlemen. [HON. MEMBERS: Oh, oh!] Why not? It is a just reduction on account of the fall in price of cereals, and the fall in rents. On that account I shall warmly support this clause as a simple act of justice.

MR. FLYNN (Cork, N.): The hon. Gentleman who has just sat down is wrong a little bit. The reason why the Government adopt the standard in relation to judicial rents rather than in regard to the prices of corn, is that it will operate very much more largely in favour of the landlords, and by it the landlords will get a larger chunk out of the Church property. I can prove that out of the mouths of the landlords themselves. There was nothing which the landlords a short time ago insisted upon with greater force and persistency in regard to judicial rents than that these had been reduced out of all proportion to the fall in agricultural prices. I see the right hon. Gentleman who represented the landlords on the Fry Commission present, and he will remember that landlord after landlord, and agent after agent, was brought before that Commission to prove that the fall in agricultural prices had been very moderate indeed. That is the very reason why in this particular clause the Government have adopted a variation by judicial rents, and not by prices. Unquestionably there has been a reduction in the price of cereals, the largest being that of wheat, but it has not been great, if anything, in the case of butter and other dairy products and cattle. At the same time the landlords cannot have it both ways. Let them stand to one case or the other. If they are justified in contending that judicial rents have been reduced out of all fair proportion to the prices of agricultural produce, why not accept the Amendment and let that be the basis for fixing the tithe rent-charge? It has been said that the list of prices has not been published in the *Dublin Gazette* since 1887; but, as has been pointed out, it would be quite easy to rectify that. I would be very slow to accept prices taken by the Land Commissioners, but the authorities could readily obtain authentic data as to agricultural prices from 1887 to the present time, and that being done let them come to this House, if they are anxious to give a boon to their friends, and extract a large sum from the Irish Church Surplus Fund and hand it over to the landlords. Another reason why judicial rents should not be exclusively taken as a basis upon which the variation of the tithe rent-charge is fixed is that the reduction in the judicial rents is largely made up from the improvements made by the tenants themselves.

*THE CHAIRMAN: That question will be raised by the next Amendment.

MR. FLYNN: I do not want to anticipate an interesting Amendment, and I conclude by saying that there is no denying the fact that by fixing judicial rents as the basis of variation of tithe rent-charge the largest possible amount of money will be abstracted from the Irish Church Fund, which ought to be devoted to the general benefit of the whole Irish people, for the benefit of one class only.

MR. CALDWELL (Lanarkshire, Mid): In regard to the question raised by the hon. Member for Basingstoke, he may be thoroughly satisfied that if this Amendment were to give to the Irish landlords more money than the original clause in the Bill the Government would have accepted it at once. So far as I am concerned I do not look upon this matter as one of pounds, shillings, and pence, but as one of principle. Tithe in all the existing Irish, Scotch, and English Acts is based upon a footing of prices of agricultural produce. Now, why change that standard in Ireland? What principle is there for changing it? We are going to set up an unnatural basis, because tithe has nothing to do with rent, whether fixed judicially or by agreement. Tithe rent is a burden on the land, without any reference whatever to rent, or whether there is a tenant or not. There may not be a tenant at all. I cannot understand why the Government should set up a new basis altogether for fixing the tithe rent-charge, which has no warrant, no foundation, no application whatever to the facts of the case. The suggestion thrown across the floor of the House that the Amendment would give more to the Irish landlords than the original clause we may dismiss as a figment, otherwise the Chief Secretary would have jumped at it.

MR. G. W. BALFOUR rose in his place and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

The Committee divided:—Ayes, 176; Noes, 108. (Division List No. 175.)

AYES.

Acland-Hood, Capt. Sir Alex. F.
Allsopp, Hon. George
Anson, Sir William Reynell
Archdale, Edward Mervyn
Atkinson, Right Hon. John
Baird, John George Alexander
Baldwin, Alfred
Balfour, Rt. Hn. A. J. (Manch'r)
Balfour, Rt. Hn. G. W. (Leeds)
Banbury, Frederick George
Barry, Rt Hn A H Smith-(Hunts
Beach, Rt. Hn. Sir M. H. (Brist'l)
Beach, Rt. Hon. W. W. B (Hants.
Beckett, Ernest William
Bethell, Commander
Bhownaggree, Sir M. M.
Biddulph Michael
Bill, Charles
Blakiston-Houston, John
Blundell, Colonel Henry
Brassey, Albert
Brodrick, Rt. Hon. St. John
Brymer, William Ernest
Bullard, Sir Harry
Burdett-Coutts, W.
Butcher, John George
Campbell, Rt. Hn. J A (Glasgow
Campbell, J. H. M. (Dublin)
Carson, Rt. Hn. Sir Edw. H.
Cavendish, V. C. W. (Derbysh'e
Cecil, Evelyn (Hertford, East)
Chamberlain, Rt. Hn. J. (Birm.)
Chamberlain, J. Austen (Worc'r
Chaplin, Rt. Hon. Henry
Coghill, Douglas Harry
Collings, Rt. Hon. Jesse
Colomb, Sir John Charles Ready
Colston, Chas. Edw. H. Athole
Cooke, C. W. Radcliffe (Heref'd
Corbett, A. Cameron (Glasgow
Courtney, Rt. Hon. Leonard H.
Cross, Herb. Shepherd (Bolton
Cruddas, William Donaldson
Cubitt, Hon. Henry
Curzon, Viscount
Dickinson, Robert Edmond
Donkin, Richard Sim
Douglas, Rt. Hon. A. Akers-
Doxford, Sir William Theodore
Dyke, Rt. Hon Sir William Hart
Elliot, Hon. A. Ralph Douglas
Faber, George Denison
Fellowes, Hon. Ailwyn Edw.
Fergusson, Rt Hn Sir J. (Manc'r)
Finlay, Sir Robert Bannatyne
Fisher, William Hayes
FitzGerald, Sir Robert Penrose-
Fitz Wygram, General Sir F.
Flower, Ernest
Fry, Lewis
Galloway, William Johnson
Gibbons, J. Lloyd
Goldsworthy, Major-General
Goschen, George J. (Sussex)
Goulding, Edward Alfred
Green, W. D. (Wednesbury)
Gull, Sir Cameron
Gunter, Colonel
Halsey, Thomas Frederick
Hanbury, Rt. Hon. Robert W.
Hermon-Hodge, R. Trotter
Hoare, Edw Brodie (Hampstead
Hobhouse, Henry
Howard, Joseph
Hozier, Hon James Henry Cecil
Hudson, George Bickersteth
Hutton, John (Yorks, N.R.)
Jackson, Rt. Hon. Wm. Lawies
Jebb, Sir Richard Claverhouse
Jeffreys, Arthur Frederick
Johnston, William (Belfast)
Kenyon, James
Kenyon-Slaney, Col. William
Kimber, Henry
Knowles, Lees
Lafone, Alfred
Lecky, Rt. Hn. William Edw. H.
Leigh-Bennett, Henry Currie
Leighton, Stanley
Llewelyn, Sir Dillwyn-(Sw'ns'a
Lockwood, Lt.-Col. A. R.
Loder, Gerald Walter Erskine
Long, Col. Charles W (Evesham
Long, Rt. Hon. W. (Liverpool)
Lonsdale, John Brownlee
Lopes, Henry Yarde Buller
Lowe, Francis William
Loyd, Archie Kirkman
Lucas-Shadwell, William
Macartney, W. G. Ellison
Maclure, Sir John William
M'Calmont, Col. J. (Antrim, E.
M'Iver, Sir Lewis (Edinb'gh, W.
M'Killop, James
Malcolm, Ian

Marks, Henry Hananel
Melville, Beresford Valentine
Meysey-Thompson, Sir H. M.
Middlemore, J. Throgmorton
Milbank, Sir Powlett Chas. J.
Milward, Colonel Victor
Monk, Charles James
Moon, Edward Robert Pacy
Moore, William (Antrim, N.)
More, Robt. Jasper (Shropshire)
Morgan, Hn. Fred. (Monm'thsh.
Morrell, George Herbert
Morrison, Walter
Morton, A. H. A. (Deptford)
Mount, William George
Mowbray, Sir Robert Gray C.
Murray, Col. Wyndham (Bath
Myers, William Henry
Nicol, Donald Ninian
O'Neill, Hon. Robert Torrens
Parkes, Ebenezer
Percy, Earl
Pilkington, R. (Lancs. Newton)
Platt-Higgins, Frederick
Plunkett, Rt Hn Horace Curzon
Powell, Sir Francis Sharp
Pretyman, Ernest George
Purvis, Robert
Pym, C. Guy
Renshaw, Charles Bine
Richardson, Sir Thos. (Hartlep'l
Ridley, Rt. Hn. Sir Matthew W.
Ritchie, Rt. Hn. Chas. Thomson
Robinson, Brooke
Rollit, Sir Albert Kaye
Round, James
Russell, Gen. F. S. (Cheltenham
Russell, T. W. (Tyrone)
Samuel, Harry S. (Limehouse)
Sassoon, Sir Edward Albert
Saunderson, Rt. Hon. Col. E. J.
Scoble, Sir Andrew Richard
Seely, Charles Hilton
Sharpe, William Edward T.
Sidebotham, J. W. (Cheshire)
Sidebottom, William (Derbys.)
Simeon, Sir Barrington
Sinclair, Louis (Romford)
Smith, Abel H. (Christchurch)
Smith, J. Parker (Lanarks.)
Stanley, Edward Jas. (Somerset
Stanley, Sir H. M. (Lambeth)
Stirling-Maxwell, Sir John M.
Stock, James Henry
Thorburn, Sir Walter
Thornton, Percy M.
Tollemache, Henry James
Tomlinson, Wm. Edw. Murray
Warr, Augustus Frederick
Welby, Lt-Col A. C. E. (Tauntn)
Welby, Sir Chas. G. E. (Notts.)
Whiteley, H. (Ashton-under-L.
Whitmore, Charles Algernon
Williams, J. Powell- (Birm.)
Willoughby de Eresby, Lord
Willox, Sir John Archibald
Wodehouse, Rt. Hn. E. R. (Bath
Wolff, Gustav Wilhelm
Wrightson, Thomas
Wylie, Alexander
Wyndham, George
Young, Commander (Berks, E.
TELLERS FOR THE AYES—
Sir William Walrond and
Mr. Anstruther.

NOES.

Abraham, William (Cork, N. E.
Allan, William (Gateshead)
Ashton, Thomas Gair
Austin, M. (Limerick, W.)
Baker, Sir John
Bayley, Thomas (Derbyshire)
Billson, Alfred
Birrell, Augustine
Blake, Edward
Broadhurst, Henry
Bryce, Rt. Hon. James
Buchanan, Thomas Ryburn
Burt, Thomas
Buxton, Sydney Charles
Caldwell, James
Campbell-Bannerman, Sir H.
Carew, James Laurence
Carvill, Patrick George H.
Cawley, Frederick
Channing, Francis Allston
Clancy, John Joseph
Colville, John
Crilly, Daniel
Crombie, John William
Daly, James
Dillon, John
Doogan, P. C.
Douglas, Charles M. (Lanark)
Duckworth, James
Dunn, Sir William
Emmott, Alfred
Engledew, Charles John
Evershed, Sydney
Field, William (Dublin)
Fitzmaurice, Lord Edmond
Flavin, Michael Joseph
Flynn, James Christopher
Fox, Dr. Joseph Francis
Gladstone, Rt. Hon. H. J.
Gold, Charles
Harwood, George
Hayne, Rt. Hon. Chas. Seale-
Hemphill, Rt. Hon. Chas. H.
Holland, William Henry
Horniman, Frederick John
Hutton, Alfred E. (Morley)
Jacoby, James Alfred
Johnson-Ferguson, Jabez E.
Jones, David B. (Swansea)
Jones, Wm. (Carnarvonshire)
Kinloch, Sir John Geo. Smyth
Labouchere, Henry
Langley, Batty
Leng, Sir John
Macaleese, Daniel
MacDonnell, Dr. M. A (Qn.'s Co.
MacNeill, John Gordon Swift
M'Crae, George
M'Ewan, William
M'Ghee, Richard
M'Hugh, Patrick A. (Leitrim)
Mappin, Sir Frederick Thorpe
Morgan, W. P. (Merthyr)
Murnaghan, George
Norton, Capt. Cecil William
Nussey, Thomas Willans
O'Brien, James F. X. (Cork)
O'Brien, Patrick (Kilkenny)
O'Connor, James (Wicklow, W.
O'Connor, T. P. (Liverpool)
O'Dowd, John
O'Kelly, James
O'Malley, William
Palmer, George Wm. (Reading)
Pease, Joseph A. (Northumb.
Philipps, John Wynford
Pickard, Benjamin
Power, Patrick Joseph
Price, Robert John
Priestley, Briggs
Richardson, J. (Durham, S. E.)
Rickett, J. Compton
Roberts, John H. (Denbighs.)
Robertson, Edmund (Dundee)
Samuel, J. (Stockton-on-Tees)
Sinclair, Capt John (Forfarshire
Soames, Arthur Wellesley
Souttar, Robinson
Spicer, Albert
Strachey, Edward
Sullivan, Donal (Westmeath)
Sullivan, T. D. (Donegal, W.)
Tennant, Harold John
Thomas, Abel (Carmarthen, E.)
Thomas, Alfred (Glamorgan, E.
Thomas, David A. (Merthyr)
Trevelyan, Charles Philips
Wallace, Robert
Walton, Joseph (Barnsley)
Whiteley, George (Stockport)
Whittaker, Thomas Palmer
Williams, John Carvell (Notts.)
Wilson, Charles Henry (Hull)
Wilson, John (Durham, Mid.)
Wilson, John (Govan)
Woodhouse, Sir J T (Hudd'sfld)
Young, Samuel (Cavan, East)
Yoxall, James Henry
TELLERS FOR THE NOES—
Sir Thomas Esmonde and
Captain Donelan.

MR. SWIFT MACNEILL, who spoke seated and covered, desired on a point of order to call attention to the fact that if the Amendment were submitted in the form in which it had been put, it would exclude two subsequent Amendments standing in the name of the hon. Member for North Louth.

*THE CHAIRMAN: The hon. Member is quite right, but I put the question in that way in order to preserve the position of the hon. Member for East Mayo. I put the question two or three times and no objection was taken.

MR. DILLON: How could objection be taken when the closure had been moved?

*THE CHAIRMAN: The hon. Member for North Louth was not present when the Amendment was called, and the hon. Member for the Northern Division of Dublin County took charge of it, and moved it on his behalf.

MR. SWIFT MACNEILL: With all respect, if any hon. Member is not present in whose name the Amendment stands, it is competent for any hon. Member to move it.

*THE CHAIRMAN: I have repeatedly put the question to the House during the afternoon. If my attention had been drawn to the point when the question was first put I would have done my best to reserve the following Amendments, but we cannot go back now.

MR. SWIFT MACNEILL: With all respect——

*THE CHAIRMAN: Order, order! I may also remind the hon. Member that the Committee has by its vote decided that the question which I have already proposed should be put; and therefore I could not amend the form of the question if I wished to do so.

Question put accordingly, "That the words proposed to be left out to the word 'and,' in page 2, line 4, stand part of the clause."

The Committee divided:—Ayes, 185; Noes, 113. (Division List No. 176.)

AYES.

Acland-Hood, Capt. Sir A. F.
Allsopp, Hon. George
Anson, Sir William Reynell
Archdale, Edward Mervyn
Atkinson, Rt. Hon. John
Baird, John George Alexander
Baldwin, Alfred
Balfour, Rt. Hn. A. J. (Manch'r)
Balfour, Rt Hn Gerald W (Leeds
Banbury, Frederick George
Barry, Rt Hn A H Smith-(Hunts
Beach, Rt. Hn. Sir M. H. (Bristol
Beach, Rt. Hn. W. W. B. (Hants
Beckett, Ernest William
Bethell, Commander
Bhownaggree, Sir M. M.
Biddulph, Michael
Bill, Charles
Blakiston-Houston, John
Blundell, Colonel Henry
Bowles, T. Gibson (King's Lynn
Brassey, Albert
Brodrick, Rt. Hon. St. John
Brown, Alexander H.
Brymer, William Ernest
Bullard, Sir Harry
Burdett-Coutts, W.
Butcher, John George
Campbell, Rt. Hon J A (Glasgow
Campbell, J. H. M. (Dublin)
Carson, Rt. Hon. Sir Edw. H.
Cavendish, V. C. W. (Derbyshire
Cecil, Evelyn (Hertford, East)
Chamberlain, Rt. Hon. J (Birm.
Chamberlain, J. A. (Worc'r)
Chaplin, Rt. Hon. Henry
Coghill, Douglas Harry
Collings, Rt. Hon. Jesse
Colomb, Sir John Charles R.
Colston, Chas. Edw. H. Athole
Cooke, C. W. Radcliffe (Heref'd
Corbett, A. Cameron (Glasgow)
Cross, Herb. Shepherd (Bolton)
Cruddas, William Donaldson
Cubitt, Hon. Henry
Curzon, Viscount
Dickinson, Robert Edmond
Donkin, Richard Sim
Douglas, Rt. Hon. A. Akers-
Doxford, Sir Wm. Theodore
Dyke, Rt. Hn. Sir Wm. Hart
Elliot, Hon. A. Ralph Douglas
Faber, George Denison
Fellowes, Hn. Ailwyn Edward
Fergusson, Rt Hn. Sir J. (Manc'r
Finlay, Sir Robert Bannatyne
Fisher, William Hayes
FitzGerald, Sir Robert Penrose-
Fitz Wygram, General Sir F.
Flower, Ernest
Foster, Colonel (Lancaster)
Fry, Lewis
Galloway, William Johnson
Gibbons, J. Lloyd
Giles, Charles Tyrrell
Goldsworthy, Major-General
Goschen, George J. (Sussex)
Goulding, Edward Alfred
Green, Walford D (Wednesbury
Greene, Henry D. (Shrewsbury)
Gull, Sir Cameron
Gunter, Colonel
Halsey, Thomas Frederick
Hanbury, Rt. Hon. Robert Wm.
Hermon-Hodge, R. Trotter
Hoare, Edw. Brodie (Hampste'd
Hobhouse, Henry
Howard, Joseph
Hozier, Hon. J. Henry Cecil
Hudson, George Bickersteth
Hutton, John (Yorks, N.R.)
Jackson, Rt. Hon. Wm. Lawies
Jebb, Sir Richard Claverhouse
Jeffreys, Arthur Frederick
Johnston, William (Belfast)
Kenyon, James
Kenyon-Slaney, Col. William
Kimber, Henry
Knowles, Lees
Lafone, Alfred
Lecky, Rt. Hn William Edw. H.
Leigh-Bennett, Henry Currie
Leighton, Stanley
Llewelyn, Sir Dillwyn-(Sw'ns'a
Lockwood, Lt.-Col. A. R.
Loder, Gerald Walter Erskine
Long, Col. Chas. W. (Evesham)
Long, Rt. Hn Walter (Liverpool
Lonsdale, John Brownlee
Lowe, Francis William
Loyd, Archie Kirkman
Lucas-Shadwell, William
Macartney, W. G. Ellison
Maclure, Sir John William
M'Calmont, Col. J. (Antrim, E.)
M'Iver, Sir L. (Edinburgh, W.)
M'Killop, James
Malcolm, Ian
Marks, Henry Hananel
Melville, Beresford Valentine
Meysey-Thompson, Sir H. M.
Middlemore, J. Throgmorton
Milbank, Sir Powlett Chas. J.
Milward, Colonel Victor
Monk, Charles James
Moon, Edward Robert Pacy
Moore, William (Antrim, N.)
More, Robt. Jasper (Shropshire)
Morgan, Hn. F. (Monm'thsh.
Morrell, George Herbert

Morrison, Walter
Morton, A. H. A. (Deptford)
Mount, William George
Mowbray, Sir Robert Gray C.
Murray, Rt Hn A Graham (Bute
Murray, Col. Wyndham (Bath)
Myers, William Henry
Nicol, Donald Ninian
O'Neill, Hon. Robert Torrens
Parkes, Ebenezer
Pierpoint, Robert
Pilkington, R. (Lancs Newton
Platt-Higgins, Frederick
Plunkett, Rt Hn Horace Curzon
Powell, Sir Francis Sharp
Pretyman, Ernest George
Purvis, Robert
Pym, C. Guy
Remnant, James Farquharson
Renshaw, Charles Bine
Richardson, Sir T. (Hartlep'l
Ridley, Rt. Hn. Sir Matthew W.
Ritchie, Rt. Hon. C. Thomson
Robertson, Herbert (Hackney
Robinson, Brooke
Rollit, Sir Albert Kaye
Round, James
Russell, Gen. F. S. (Cheltenham
Russell, T. W. (Tyrone)
Samuel, Harry S. (Limehouse)
Saunderson, Rt. Hn. Col. E. J.
Scoble, Sir Andrew Richard
Seely, Charles Hilton
Sharpe, William Edward T.
Sidebotham, J. W. (Cheshire)
Sidebottom, William (Derbysh
Simeon, Sir Barrington
Sinclair, Louis (Romford)
Smith, Abel H. (Christchurch)
Smith, J. Parker (Lanarks)
Stanley, Edw. Jas. (Somerset)
Stanley, Sir H. M. (Lambeth)
Stirling-Maxwell, Sir J. M.
Stock, James Henry
Talbot, Rt. Hn. J. G. (Ox. Univ.
Thorburn, Sir Walter
Thornton, Percy M.
Tollemache, Henry James
Tomlinson, Wm. Edw. Murray
Warr, Augustus Frederick
Welby, Lt-Col A. C. E. (Taunt'n
Welby, Sir Chas. G. E. (Notts
Whiteley, H. (Ashton-under-L.
Whitmore, Charles Algernon
Williams, Joseph Powell- (Birm
Willoughby de Eresby, Lord
Willox, Sir John Archibald
Wilson-Todd, Wm. H. (Yorks)
Wodehouse, Rt Hn E. R. (Bath)
Wolff, Gustav Wilhelm
Wrightson, Thomas
Wylie, Alexander
Wyndham, George
Wyvill, Marmaduke D'Arcy
Young, Commander (Berks, E.

TELLERS FOR THE AYES—
Sir William Walrond and
Mr. Anstruther.

NOES.

Abraham, Wm. (Cork, N.E.)
Ashton, Thomas Gair
Austin, M. (Limerick, W.)
Baker, Sir John
Bayley, Thomas (Derbyshire)
Billson, Alfred
Blake, Edward
Broadhurst, Henry
Bryce, Rt. Hon. James
Buchanan, Thomas Ryburn
Burt, Thomas
Buxton, Sydney Charles
Caldwell, James
Campbell-Bannerman, Sir H.
Carew, James Laurence
Carvill, Patrick George H.
Cawley, Frederick
Channing, Francis Allston
Clancy, John Joseph
Colville, John
Courtney, Rt. Hon. Leonard H.
Crilly, Daniel
Crombie, John William
Daly, James
Dilke, Rt. Hon. Sir Charles
Dillon, John
Doogan, P. C.
Douglas, Charles M. (Lanark)
Duckworth, James
Dunn, Sir William
Emmott, Alfred
Engledew, Charles John
Evershed, Sydney
Field, William (Dublin)
Fitzmaurice, Lord Edmond
Flavin, Michael Joseph
Flynn, James Christopher
Fox, Dr. Joseph Francis
Gladstone, Rt. Hn. Herbert J.
Gold, Charles
Harwood, George
Hayne, Rt. Hn. Charles Seale-
Hazell, Walter
Hemphill, Rt. Hon. Charles H.
Holland, William Henry
Horniman, Frederick John
Hutton, A. E. (Morley)
Jacoby, James Alfred
Johnson-Ferguson, Jabez E.
Joicey, Sir James
Jones, David Brynm. (Swansea
Jones, W. (Carnarvonshire)
Kinloch, Sir John George Smyth
Kitson, Sir James
Leng, Sir John
Macaleese, Daniel
MacDonnell, Dr. MA (Queens'C
MacNeill, John Gordon Swift
M'Crae, George
M'Ewan, William
M'Ghee, Richard
M'Hugh, Patrick A. (Leitrim)
M'Kenna, Reginald
Mappin, Sir Frederick Thorpe
Montagu, Sir S. (Whitechapel)
Murnaghan, George
Norton, Capt. Cecil William
Nussey, Thomas Willans
O'Brien, James F. X. (Cork)
O'Brien, Patrick (Kilkenny)
O'Connor, J. (Wicklow, W.)
O'Connor, T. P. (Liverpool)
O'Dowd, John
O'Kelly, James
O'Malley, William
Palmer, George W. (Reading)
Pease, Joseph A. (Northumb.)
Philipps, John Wynford
Pickard, Benjamin
Power, Patrick Joseph
Price, Robert John
Priestley, Briggs
Provand, Andrew Dryburgh
Richardson, J. (Durham, S.E.)
Rickett, J. Compton
Roberts, John H. (Denbighs.)
Robertson, Edmund (Dundee)
Samuel, J. (Stockton-on-Tees)
Shaw, Chas. Edw. (Stafford)
Sinclair, Capt. J. (Forfarshire)
Soames, Arthur Wellesley
Spicer, Albert
Stanhope, Hon. Philip J.
Strachey, Edward
Sullivan, Donal (Westmeath)
Sullivan, T. D. (Donegal, W.)
Tennant, Harold John
Thomas, Abel (Camarthen, E.
Thomas, Alfred (Glamorgan, E.
Thomas, David Alfred (Merthyr
Trevelyan, Charles Philips
Wallace, Robert
Walton, Joseph (Barnsley)
Wason, Eugene
Whiteley, George (Stockport)
Whittaker, Thomas Palmer
Williams, J. Carvell (Notts.)
Wilson, Charles Henry (Hull)
Wilson, John (Durham, Mid.)
Wilson, John (Govan)
Woodhouse, Sir J T (Huddersf'd
Young, Samuel (Cavan, East)
Yoxall, James Henry

TELLERS FOR THE NOES—
Sir Thomas Esmonde and
Captain Donelan.

MR. DILLON : The object of this sub-clause, as has already been pointed out, is to set up a totally new standard for the variation of the tithe rent-charge in Ireland, a standard differing entirely in principle from any system adopted either in England or Ireland, and I shall be able to show that unless my Amendment is accepted the standard proposed would be simply monstrous. It will be grotesque

even if my Amendment be accepted, but it will be absolutely monstrous if it is not. But I must at the present time confine my remarks to the Amendment which I propose to submit. I propose for the old system of varying the tithe rent-charge an automatic system, which shall vary automatically in exact ratio to the variation of the official judicial rents. That is to say, if the judicial rent has been reduced during the last fifteen years 25 per cent., the tithe rent-charge in that district would be automatically reduced by 25 per cent. It is a notorious fact that reduction of judicial rents in Ireland is based mainly on a two-fold consideration, or two considerations quite distinct and apart from each other. Judicial rents may be reduced on account of the fall in the price of agricultural produce or, on the other hand, they may be reduced, and to a great extent are reduced, in consequence of the improvements made by the tenants. Now, could a more monstrous proposition be conceived than that the head rent, the tithe rent-charge of the landlord's property, should be reduced by the same amount as that by which he has been obliged to reduce the rent of a tenant owing to improvements which have been made by that tenant? I should have thought it could not have been supported by any member of this House. The landlord reduces his rent by 30 per cent. on account of the improvements of his tenant. The whole of it may be taken off, not because of any fall in the price of agricultural produce, but as an adequate allowance for the improvements of the tenant, and in respect of that allowance the landlord gets a reduction of 30 per cent. on his tithe rent-charge. I cannot understand why the Government should make such a proposal. The effect of my Amendment will be to remove this extraordinary anomaly. It will, if passed, leave a standard based on such reductions on agricultural rents as were found to be due to the fall in the prices of agricultural produce, and eliminate those reductions due to the improvements made by the tenants. This is an important point, because those of us who are acquainted with the conditions of Ireland know that the reduction in rents in great part was due admittedly to the improvements of the tenants. Therefore this clause would very seriously alter the standard by which the tithe rent-charge is collected. The whole scheme contained in Clause 2 of the new scheme, upon which these reductions are to be made, is grotesque, but if this Amendment is accepted it will modify to a great extent the injustice of the Bill. There are many other elements of injustice in this proposal, but I think I should confine myself to the one particular element dealt with by this Amendment. At present I do not propose to take up further time in moving this Amendment, and I shall wait with considerable curiosity to hear what are the views of the Government, and see what attitude they will adopt on this matter. I only know of one argument which can be used, and that I have no doubt will be used. They will talk about the calculations which will have to be entered into. I quite admit that it will necessitate considerable calculation, but that is not our fault, it is the fault of the Government; and when the Government bring in revolutionary proposals of this kind the responsibility for the mass of calculation which will be necessary to arrive at the reduction to be made must lie with the promoters of those proposals and not with us who are endeavouring to set the matter right. If the Government seek to base these reductions on that argument, some compromise may be arrived at, without going into minute calculations in each case, by leaving it to the Land Court to say how much or how little of the reduction on the judicial rent is due to tenants' improvements, and to strike out that from the amount of the tithe rent-charge, because it is due to the improvements which have been made by the tenants.

Amendment proposed—

"In page 2, line 4, after the word 'rents,' to insert the words 'deducting in each case, where a judicial rent has been fixed, the amount of the variation which was made in respect of improvements made by the tenants.'"—(*Mr. Dillon.*)

Question proposed, "That those words be there inserted."

MR. G. W. BALFOUR said the acceptance of the Amendment was not only difficult but it was impossible, because, as a matter of fact, no record had been kept of the tenants' improvements before the year 1876, and therefore, in order to carry out the Amendment, it would be necessary to make special inquiry into every

holding to ascertain what the tenants' improvements had been during the past twenty years. It must be perfectly clear to the hon. Member that, from the practical point of view, the Amendment was not one which could be accepted by the Government. No doubt the reductions in rent made by the Land Commissioners had been to some extent due to the fact that the Land Act allowed a reduction for tenants' improvements, but he would remind the Committee that tithe was originally calculated on produce, and the tenant who had to pay tithe would have had to pay on his improvements in so far as the produce of the land was dependent upon them. If the English system of variation were applied in Ireland, the proper reduction would be not 25 per cent., but something over 30 per cent., and if that system were to obtain in Ireland the tithe rent-charge, having regard to the price of wheat and oats, would be greatly increased. In the case of wheat it would be 50 or 60 per cent. and in the case of oats 60 or 70 per cent. He contended that the hon. Member had made out no case for the Amendment.

MR. T. P. O'CONNOR (Liverpool, Scotland) said that nobody would appreciate the revolutionary boldness of this measure without bearing in mind that the right hon. Gentleman had had the courage to attempt to change a system of taxation that was spoken of in Genesis, and which was already ancient when Moses came down from the Mount with the tables of the law. He would also remind the right hon. Gentleman that when he attended Divine service his attention was called to "the kindly fruits of the earth," but even that appeal to the antiquity of this tax had not been sufficient to keep him from this revolutionary proposal. Having dealt with the theological aspect of the case, he would now turn to the political consequences of the action of the right hon. Gentleman. The right hon. Gentleman answered the arguments of the hon. Member for East Mayo by saying that the improvements of the tenant should not be taken into consideration. Whilst listening to the right hon. Gentleman he wondered what might be the thoughts of the hon. Gentleman the Member for St. Stephen's Green—who accepted these proposals with such extravagant joy—upon the speeches of the right hon. Gentleman and the hon. Member for Basingstoke. It was perfectly well known that the prices of agricultural produce had fallen so little as to justify no reduction of rent at all. The right hon. Gentleman asked that the tithe rent should be reduced because the rents had been reduced, and that the tithe should be reduced in exact proportion to the reduction of the rent. Was there ever a more extraordinary collocation of absolutely irrelevant and unconnected circumstances? What connection was there between the reduction of rents and the reduction of tithes? The right hon. Gentleman proposed by the Bill to reduce the tithes in exact proportion to the reduction of rent. He was asked by the hon. Member for East Mayo to deduct from the reduction of rent those reductions which were made in consequence of the improvements of the tenants. Could anyone who looked at the subject with a fair and open mind, unbiassed by the prospect of boodle, suggest that that was not a fair request? Rents were not reduced owing to the fall in the price of commodities, but because the Land Courts held that they were bound to take from the rent the improvements made by the tenants. The reduction was made entirely irrespective of the landlord. The landlord had his rents reduced because he was taking and putting into his own pockets property which did not belong to him. It was held that the improvements belonged to the tenant and should not be charged in the rent but should be taken from it, and because legislation had restored to the pockets of the tenants the property which belonged to them, the landlord sought to take advantage of the restoration of that property and make that a reason for asking for a reduction of his tithes. If the right hon. Gentleman had said the tithes ought to be reduced because the amount on which they were collected was reduced the proposition would at least have been arguable, always providing that there was any justification for the reduction of tithes at all. But he held that there was no such justification. A tenant gets a bit of bog land and manures it. He and his fathers before him for thirty, forty, or even a hundred years, had by their labour, skill, and capital brought the bog into fertile action and the court came and said, "We will not charge you on the additional value you have given to this land and the improve-

ments you have made," and now it was said that the landlord was to come to that House, and on the ground of his own wrong-doing make a claim for the reduction of his obligations. The proposition had only to be stated to show its grotesque absurdity. He was sure the right hon. Gentleman knew the absurdity and injustice of the Bill as well as anybody in the House. They could not defeat the principle of the clause, because already it has been accepted by the Committee, but at least they could try to mitigate its evils. It was absurd to make the reduction of tithe in any way proportionate to or dependent upon the reduction of rent. If they did establish that principle they should at least mitigate its operation by excluding from the reduction of tithe such a reduction in the rent as was due to the improvements of the tenant. The right hon. Gentleman said it was not a perfect measure. It was a rule-of-thumb measure. Surely it was very easy for the right hon. Gentleman to get another rough-and-ready method—that was all his hon. friend asked—by which these improvements would be excluded from the scale which entitled the landlord to a reduction on his tithe. The right hon. Gentleman the First Lord of the Treasury, when Chief Secretary for Ireland, dealt with a point analogous to the one now before the House—namely, the sudden reduction in prices which made existing rents impossible. The right hon. Gentleman was able to pass through the House an automatic, rough-and-ready means by which the reduction of rent was made proportionate to the reduction in prices. In the same way the Chief Secretary, if he really had the will, could easily find the way of carrying out the proposal of his hon. friend. The request of the right hon. Gentleman that the landlords should have their burdens decreased was one of the most grotesque irrelevancies ever heard in that House.

MR. MURNAGHAN (Tyrone, Mid) said it appeared to him that the whole principle that underlay the Bill was to benefit the landlord at the expense of the tenant. The Amendment proposed by the hon. Member for East Mayo was one that ought to receive the assent of the House. If the tenant in days gone by had paid more rent than he ought to have done he did not see why the House should interfere in the way proposed to give the landlord the benefit of the improvements made by the tenant. The arrangement which the Bill proposed to set aside was entered into voluntarily. There was no compulsion put on the landlords to accept it. They thought they were entering into a very good arrangement. Now, after the lapse of a period of years, they came and sought to benefit at the expense of the tenants. That was an unfair proposal which the Committee certainly should not accept. If rents in former years were fixed on the improvements of the tenants, and were now fixed on the value of the land, that was a matter that should be taken into consideration. The tithe-rent should be fixed according to the reduction of the holding, exclusive of improvements. That was the whole point at issue.

MR. DILLON: I wish to say a few words in reply to the Chief Secretary before the Amendment goes to a division. The Chief Secretary in his speech made no attempt to justify his refusal to accept the Amendment. I knew the argument he would use would be that it would lead to a great deal of difficulty, and that it would be impracticable. I do not think it is impracticable. The reduction of a first charge on the land is a method which has never been applied in any country before, and it is of such an extraordinary character that I say it is our duty to fence round and safeguard the proposal so as to inflict the least possible amount of injustice. Let us for a moment see how this works out. Take the historical case of Adams v. Dunseath. In that case a man built a house on his holding. It was nearly double the value of the holding, and in the original trial under the Land Act, twenty years ago, the landlord was found to be entitled to put rent on the house built by the tenant. After fifteen or sixteen years the tenant in this case came into court again the other day, and owing to certain decisions in the final Court of Appeal he succeeded in getting all the rent paid on his house taken off, and he had it properly restored to him. A concrete case of this sort represents better than anything else the gross absurdity of the proposal in this Bill. Under this Bill, if you apply the principle now before us to the case of Adams v. Dunseath, the landlord would get a first charge on

his estate reduced by 30, 40, or 50 per cent., whereas if he had never placed on the house the unjust rent which he has been compelled to forego he would not get the reduction. Can absurdity go further? It is quite true that that injustice was done by a rule of thumb system, but that does not affect the principle, and in order to illustrate the preposterous and grotesque nature of the principle on which this scale is to be based I am entitled to apply it to an individual case. I admit frankly that I have selected an extreme case. I do not mean to contend for a moment that the result of the Bill all over Ireland would be as extreme as it would be when applied to the case I have referred to, but the principle is equally rotten. Really I think it would be impossible to imagine a more monstrous proposition. When the right hon. Gentleman says the Amendment cannot be accepted—because, forsooth, it would give too much trouble to the Land Commission—he should devise another scheme. If he finds that he cannot by Amendments bring this scheme into consistency with logic, reason, and justice, then I say he is bound to throw away this scheme and propose another. We cannot dismiss from our minds the fact that this is one of the most extraordinary revolutions ever proposed in regard to the charges on land. What did the right hon. Gentleman say in his reply? He said I seemed to forget the real character of the variability inherent in tithe. What is variability in English tithe does not apply here, because it is no longer inherent in Irish tithe. It is a monstrous abuse of language to talk about variability being inherent in tithe, which thirty years ago was made the subject of statutory settlement in this House, the basis of which was that there should be no variability. What is variability? The right hon. Gentleman might easily have told the House that it was supposed to be a tenth of the produce—that is to say, the tithe varied in proportion to the value of the produce. Rents do not and ought not to vary in direct proportion to the rise and fall in prices. This I consider a most important point as bearing on this proposal, because I contend, and every agricultural expert whose works I have ever read on this subject contends, that rent, if justice is done, must vary in much greater proportion than the variation of price. That is an accepted axiom in dealing with these questions—that is to say, if the price of agricultural produce varies by 10 per cent., the rent ought to drop a great deal more. Rent pays, and ought to pay, in proportion to the cost of production, the price of labour and a variety of other considerations, but the variability inherent in tithe was based on a totally different standard. It was variability directly proportional to the price of produce. The right hon. Gentleman is entirely wrong when he refers me to the variability inherent in tithe, and he is doubly wrong when he leans on the hon. Member, who spoke in absolute sincerity, but in absolute ignorance of the history of Irish land, which is an extremely complicated subject. He thinks he can settle the question by telling us of the present condition of English tithes. He might as well tell us what is the position of tithe in China, if there is such a thing. That would have as much bearing on the position of tithe in Ireland as the speech of the right hon. Gentleman. Tithe in Ireland has been the subject of a series of arrangements. I am acquainted with the history of these settlements. I know that tithe in Ireland has been different throughout the whole century from what it has been in England, and to say that because variations take place in English tithes, similar variations ought to take place in Ireland, where a totally different system has been in force, where the land has been held for generations under a totally different system, is an utterly absurd and preposterous argument. You talk about the variability inherent in tithe. I maintain that, substantially speaking, there has been no variability inherent in Irish tithe since 1838. The right hon. Gentleman himself admitted that such was the variability since and before the settlement of 1838 that not one in a hundred ever succeeded in getting his tithe varied, and that for practical purposes that variability was invariable. The result was that for all practical purposes the tithe-payers in Ireland had settled down and accepted their tithe as an invariable charge on the land. It is absurd to base an argument in support of this revolutionary and extraordinary change on anything that existed in England. We have to deal with a case of tithe which for nearly one hundred years has been practically an invariable charge, so far as the

ecclesiastical burden is concerned. The principle of inherent variability is invoked for the purpose of justifying this extraordinary proceeding, which really has no justification, and which is a frank and simple act of plunder.

SIR H. CAMPBELL-BANNERMAN (Stirling Burghs): I have been sitting here in expectation that we should really have some arguments adduced against the Amendment, but, so far as I understood, the Chief Secretary founded his opposition mainly on the assertion that it was practically impossible to draw the distinction which the Amendment implied. He did not, so far as I am aware, find out what would be the reduction of rent as based on tenants' improvements, but I did not understand that the right hon. Gentleman at all disputed the equity of the arguments used by the hon. Member for East Mayo. I confess to having been more or less in attendance while the Bill was being discussed, and I cannot help saying that it appears to me to be perhaps the most extraordinary measure of the session, if not of the Parliament or of the century. There was the initial puzzle why the Bill was introduced at all. Then there is the further puzzle why the funds to enable this obvious and naked gift to be made to the landowners of Ireland are to be taken from the Irish Church Fund, which was given by Parliament to the relief of the poor and needy, the distressed and suffering in Ireland. Then there was the puzzle of the mysterious printer's error which crept into two Acts of Parliament, and upon which the whole case appears to me to be founded. Then we have the puzzle that tithes which have been for many years fixed and stereotyped by the law of the land, and which before that we were told were practically fixed, so difficult was it to take the means to make them vary, are all the time inherently variable, and that such variability is of a sacred character and ought to be respected. The next puzzle is that tithes are no longer to have to do with the prices of produce, but with the reduction of rents, an element which had never come into the matter before. I have gone from one of these puzzles to another, and now I come to the last, that the reduction of rent, on the ground of which the landlord is to receive a benefit, is to include a reduction made in consequence of his having exacted a rent on his tenant's improvements. That was rent that he should never have had at all, and because he has been under the legislation, beneficent or otherwise, of recent years estopped from any longer exacting rent in this iniquitous fashion in a way that has been condemned by Parliament, he is to receive a pecuniary advantage now from this Bill. That is a chain of puzzles that I have never seen equalled in connection with an Act of Parliament before. In regard to the last proposal, I have waited expecting to hear some argument in its defence, and if there is no such thing to be said, why should we be stopped in preventing this gross injustice because there may be some difficulties in the way we have not heard of. It is an injustice in more senses than one, because it is in itself inequitable and illogical. Besides that, remember every penny that is taken out of the Irish Church Fund is taken from some other beneficent purpose, and there are hundreds of claims in Ireland which, I venture to say, ought to take precedence over the one with which we are now dealing.

MR. G. W. BALFOUR: The right hon. Gentleman stated that he had been in constant attendance.

SIR H. CAMPBELL-BANNERMAN: More or less. I was in attendance during the whole of the Second Reading debate, which gave me a certain knowledge of the subject.

MR. G. W. BALFOUR: I think it is rather a pity that the right hon. Gentleman did not address to the House on the occasion of the Second Reading of the Bill the observations he has just made, because the greater part of the observations are totally irrelevant to the Amendment now before us. I have already given the general grounds on which the provisions which the right hon. Gentleman attacks have been inserted in the Bill, and I am, therefore, content to address myself to the particular Amendment before the Committee. The hon. Member for East Mayo proposes that we should not take the reductions of rent as the standard of variation of tithes, and asks that an allowance should be made in each case for the improvements made by the tenants. My answer to that is that it

would be absolutely impracticable. The thing could not be done, and I would say that the acceptance of the Amendment would ruin the whole Bill, and we might as well drop the Bill at ence. The hon. Member for East Mayo has stated that I said nothing whatever with respect to the justice of the proposal. What I stated previously was that I did not think the considerations of justice adduced by the hon. Member were such as to need that serious weight should be attached to them, and I have given my reasons for so thinking. I have also, over and above that, referred to the inherent variability of the tithes, and I would remind the hon. Member that tithe in its first form, in which it was really one-tenth of the produce, did and would include an amount due to the tithe-owner in consequence of greater productivity resulting from tenants' improvements, as well as the produce of the land apart from those improvements.

MR. DILLON: What about a house? There is no tithe on a house.

MR. G. W. BALFOUR: I think the reduction of rent has nothing to do with houses. But I would ask the Committee to look at the question a little more broadly. I have not said that tithe ought to be reduced because rents have been reduced, although I think I could quote speeches made by hon. Gentlemen opposite to that effect. What I said was that it was necessary to establish some standard of variability. There are strong objections, denied by nobody, to establishing the old standard of variability in Ireland, and we have therefore to introduce a new standard. I do not believe a fairer standard of variation could be devised than the one which we propose in this Bill. I have been told again and again that it is a revolutionary proposal, and that such a thing has never been heard of before. I think the principle, if I am not mistaken, was introduced into the Act of 1891, but in any case the general adoption of a principle of this kind has not been possible in any other country except Ireland, and in Ireland it is only possible from the circumstance that there we have had rents judicially fixed. We have taken advantage of that circumstance, and I venture to think that if the Bill passes there will be a better standard of variation for tithe rent-charge than there is in this country.

MR. FLYNN said it was quite evident, when the right hon. Gentleman could only make such a lame defence of the proposal, that there was no case. After all was said and done, the greater portion of the reduction was based on the tenants' improvements. They were bound to resist this Bill at every possible stage—firstly, because of its own inherent defects, and, secondly, because money was being taken from an Irish public source and given to one special class of the community. Up to 1881 the landlords of Ireland had a legal right to confiscate improvements, and to rob and penalise the tenants, and because, as the Leader of the Opposition had said, they were stopped from defrauding the tenants, they were now to get the largest possible share out of the Irish Church Fund. He hoped the House would protest against the action of the Government.

Question put.

The Committee divided:—Ayes, 121; Noes, 198. (Division List No. 177.)

AYES.

Abraham, Wm. (Cork, N.E.)
Allan, William (Gateshead)
Asquith, Rt. Hon. H. Henry
Austin, M. (Limerick, W.)
Bainbridge, Emerson
Baker, Sir John
Bayley, Thomas (Derbyshire)
Billson, Alfred
Birrell, Augustine
Blake, Edward
Bolton, Thomas Dolling
Broadhurst, Henry
Bryce, Rt. Hon. James
Buchanan, Thomas Ryburn
Burt, Thomas
Buxton, Sydney Charles
Caldwell, James
Campbell-Bannerman, Sir H.
Carew, James Laurence
Carvill, Patrick Geo. H.
Cawley, Frederick
Channing, Francis Allston
Clancy, John Joseph
Colville, John
Crilly, Daniel
Crombie, John William
Daly, James
Dalziel, James Henry
Dillon, John
Doogan, P. C.
Douglas, Charles M. (Lanark)
Duckworth, James
Dunn, Sir William
Emmott, Alfred
Engledew, Charles John
Evershed, Sydney
Field, William (Dublin)
Fitzmaurice, Lord Edmond
Flavin, Michael Joseph
Flynn, James Christopher
Gladstone, Rt Hn Herbert John
Gold, Charles
Grey, Sir Edward (Berwick)
Harwood, George
Hayne, Rt. Hon. Chas. Seale-

Hemphill, Rt. Hon. CharlesH.
Holland, William Henry
Hutton, Alfred E. (Morley)
Jacoby, James Alfred
Jameson, Major J. Eustace
Johnson-Ferguson, Jabez E.
Joicey, Sir James
Jones, D. Brynmor (Swansea
Kinloch, Sir John Geo. Smyth
Kitson, Sir James
Lawson, Sir W. (Cumberland)
Leese, Sir J. F. (Accrington
Leng, Sir John
Lough, Thomas
Luttrell, Hugh Fownes
Macaleese, Daniel
MacDonnell, Dr. M. A. (Q'n'sCo
MacNeill, John Gordon Swift
M'Crae, George
M'Dermott, Patrick
M'Ewan, William
M'Ghee, Richard
M'Hugh, Patrick A. (Leitrim)
Mappin, Sir Frederick Thorpe
Montagu, Sir S. (Whitechapel)
Murnaghan, George
O'Brien, James F. X. (Cork)
O'Brien, Patrick (Kilkenny)
O'Connor, James (Wicklow, W)
O'Connor, T. P. (Liverpool)
O'Dowd, John
O'Kelly, James
O'Malley, William
Palmer, George W. (Reading)
Pease, Joseph A. (Northumb.)
Philipps, John Wynford
Pickard, Benjamin
Pickersgill, Edward Hare
Power, Patrick Joseph
Price, Robert John
Priestley, Briggs
Provand, Andrew Dryburgh
Reckitt, Harold James
Reid, Sir Robert Threshie
Richardson, J. (Durham S.E.)
Roberts, John Bryn (Eifion)
Robertson, Edmund (Dundee)
Samuel, J. (Stockton-on-Tees
Scott, Chas. Prestwich (Leigh
Shaw, Charles Edw. (Stafford)
Sinclair, Capt. John (Forfars.
Soames, Arthur Wellesley
Souttar, Robinson
Spicer, Albert
Stanhope, Hon. Philip J.
Strachey, Edward
Sullivan, Donal (Westmeath)
Sullivan, T. D. (Donegal, W.)
Tanner, Charles Kearns
Tennant, Harold John
Thomas, Abel (Carmarthen, E.
Thomas, David Alfred (Merth'r
Wallace, Robert
Walton, Joseph (Barnsley)
Wason, Eugene
Wedderburn, Sir William
Weir, James Galloway
Whiteley, George (Stockport)
Whittaker, Thomas Palmer
Williams, John Carvell (Notts.)
Wilson, Fred. W. (Norfolk)
Wilson, John (Durham, Mid)
Wilson, John (Govan)
Wilson, J. W. (Worcestersh, N.)
Woodhouse, Sir J. T (Hudders'd
Young, Samuel (Cavan, East)

TELLERS FOR THE AYES—
Sir Thomas Esmonde and
Captain Donelan.

NOES.

Acland-Hood, Capt. Sir Alex. F.
Allsopp, Hon. George
Anson, Sir William Reynell
Archdale, Edward Mervyn
Arnold-Forster, Hugh O.
Ashmead-Bartlett, Sir Ellis
Atkinson, Rt. Hon. John
Baillie, James E. B. (Inverness
Baird, John George Alexander
Baldwin, Alfred
Balfour, Rt. Hon. A. J. (Manch'r
Balfour, Rt. Hon. G. W. (Leeds)
Banbury, Frederick George
Barry, Rt Hn A H Smith-(Hunts
Beach, Rt. Hn. Sir M. H. (Bristol
Beach, Rt. Hn. W. W. B. (Hants.
Beckett, Ernest William
Bhownaggree, Sir M. M.
Bigwood, James
Bill, Charles
Blakiston-Houston, John
Blundell, Colonel Henry
Bowles, T. Gibson (King'sLynn
Brassey, Albert
Brodrick, Rt. Hon. St. John
Brymer, William Ernest
Bullard, Sir Harry
Burdett-Coutts, W.
Butcher, John George
Campbell, Rt Hn. J. A. (Glasgow
Campbell, J. H. M. (Dublin)
Carson, Rt. Hon. Sir Edw. H.
Cavendish, V. C. W (Derbyshire
Cecil, Evelyn (Hertford, East)
Chamberlain, Rt. Hon. J. (Birm.
Chamberlain, J. Austen (Wore'r
Chaplin, Rt. Hon. Henry
Coghill, Douglas Harry
Cohen, Benjamin Louis
Collings, Rt. Hon. Jesse
Colomb, Sir John C. Ready
Colston, Chas. Edw. H. Athole
Cook, Fred. Lucas (Lambeth)
Cooke, C. W. Radcliffe (Heref'd)
Corbett, A. Cameron (Glasgow
Cross, Herb. Shepherd (Bolton)
Cruddas, William Donaldson
Cubitt, Hon. Henry
Curzon, Viscount
Dickinson, Robert Edmond
Dixon-Hartland, Sir F. Dixon
Donkin, Richard Sim
Dorington, Sir John Edward
Douglas, Rt. Hon. A. Akers-
Doxford, Sir Wm. Theodore
Dyke, Rt Hon Sir William Hart
Egerton, Hon. A. de Tatton
Elliot, Hon. A. Ralph Douglas
Faber, George Denison
Fellowes, Hon. Ailwyn Edw.
Fergusson, Rt Hn. Sir J. (Manc'r
Finlay, Sir Robert Bannatyne
Firbank, Joseph Thomas
Fisher, William Hayes
FitzGerald, Sir R. Penrose-
FitzWygram, General Sir F.
Forster, Henry William
Foster, Colonel (Lancaster)
Fry, Lewis
Galloway, William Johnson
Gibbons, J. Lloyd
Giles, Charles Tyrrell
Goldsworthy, Major-General
Gordon, Hon. John Edward
Gorst, Rt. Hon. Sir John E.
Goschen, George J. (Sussex)
Goulding, Edward Alfred
Greene, H. D. (Shrewsbury)
Gull, Sir Cameron
Gunter, Colonel
Halsey, Thomas Frederick
Hanbury, Rt. Hn. Robert W.
Hanson, Sir Reginald
Hardy, Laurence
Henderson, Alexander
Hermon-Hodge, Robert Trotter
Hobhouse, Henry
Howard, Joseph
Hozier, Hon. J. Henry C.
Hudson, George Bickersteth
Hutton, John (Yorks, N.R.)
Jackson, Rt. Hon. W. Lawies
Jebb, Richard Claverhouse
Jeffreys, Arthur Frederick
Johnston, William (Belfast)
Kenyon, James
Kenyon-Slaney, Col. Wm.
Kimber, Henry
King, Sir Henry Seymour
Knowles, Lees
Lecky, Rt. Hon. W. E. H.
Leigh-Bennett, Henry Currie
Llewelyn, Sir Dillwyn-(Swans.
Lockwood, Lt.-Col. A. R.
Loder, Gerald Walter Erskine
Long, Col. C. W. (Evesham)
Long, Rt. Hn. W. (Liverpool)
Lonsdale, John Brownlee
Lopes, H. Yarde Buller
Lowe, Francis William
Loyd, Archie Kirkman
Lucas-Shadwell, William
Lyttelton, Hon. Alfred
Macartney, W. G. Ellison
M'Calmont, Col. J. (Antrim, E.
M'Iver, Sir L. (Edinburgh, W.)
M'Killop, James
Malcolm, Ian
Marks, Henry Hananel
Martin, Richard Biddulph
Massey-Mainwaring, Hn. W. F.
Meysey-Thompson, Sir H. M.
Middlemore, J. Throgmorton
Milbank, Sir Powlett Chas. J.
Milward, Colonel Victor
Monk, Charles James
Montagu, Hon. J. Scott (Hants.
Moon, Edward Robert Pacy
Moore, William (Antrim, N.)
Morgan, Hon. F. (Monm'thsh.
Morrell, George Herbert
Morrison, Walter

Morton, Arthur H. A. (Deptford	Ridley, Rt. Hon. Sir Matthew W	Thorburn, Sir Walter
Mount, William George	Ritchie, Rt. Hon. Chas. T.	Thornton, Percy M.
Murray, Rt. Hn. A. G. (Bute)	Robertson, Herbert (Hackney)	Vincent, Col Sir C E H (Sheffield)
Murray, Col. Wyndham (Bath)	Robinson, Brooke	Warr, Augustus Frederick
Myers, William Henry	Round, James	Welby, Lt.-Col. A C E (Taunton
Nicol, Donald Ninian	Russell, Gen. F. S. (Che'tenham	Welby, Sir C. G. E. (Notts.)
O'Neill, Hon. Robert Torrens	Russell, T. W. (Tyrone)	Whiteley, H. (Ashton-under-L.
Parkes, Ebenezer	Samuel, Harry S. (Limehouse)	Whitmore, Charles Algernon
Pease, H. Pike (Darlington)	Sassoon, Sir Edward Albert	Williams, Colonel R. (Dorset)
Peel, Hn. Wm. Robt. Wellesley	Saunderson, Rt. Hon. Col. Ed. J.	Williams, Joseph Powell- (Birm
Penn, John	Scoble, Sir Andrew Richard	Willoughby de Eresby, Lord
Pierpoint, Robert	Seely, Charles Hilton	Willox, Sir John Archibald
Pilkington, R. (Lancs., Newton)	Shaw-Stewart, M. H. (Renfrew)	Wilson-Todd, Wm. H. (Yorks.)
Platt-Higgins, Frederick	Sidebotham, J. W. (Cheshire)	Wodehouse, Rt Hon. E. R. (Bath
Plunkett, Rt. Hon. Horace C.	Sidebottom, William (Derbysh.	Wolff, Gustav Wilhelm
Pollock, Harry Frederick	Simeon, Sir Barrington	Wrightson, Thomas
Powell, Sir Francis Sharp	Sinclair, Louis (Romford)	Wylie, Alexander
Pretyman, Ernest George	Smith, Jas. Parker (Lanarks.)	Wyndham, George
Purvis, Robert	Stanley, Edw. J. (Somerset)	Wyvill, Marmaduke D'Arcy
Pym, C. Guy	Stanley, Sir Henry M. (Lambeth	Young, Commander (Berks, E.)
Renshaw, Charles Bine	Stirling-Maxwell, Sir John M.	TELLERS FOR THE NOES—
Richards, Henry Charles	Stock, James Henry	Sir William Walrond and
Richardson, Sir Thos. (Hartlep'l	Talbot, Rt Hn J G (Oxf'd. Univ.)	Mr. Anstruther.

It being after half-past Five of the clock, the Chairman left the Chair to make his Report to the House.

Committee report Progress; to sit again To-morrow.

VETERINARY SURGEONS AMENDMENT BILL.

Read the third time, and passed.

NEW BILL.

RAILWAY AND CANAL TRAFFIC ACT (1888) AMENDMENT.

Bill to amend the Railway and Canal Traffic Act, 1888, and to provide for the better carriage by rail of cycles, ordered to be brought in by Sir Howard Vincent, Mr. Gladstone, Mr. Butcher, Mr. Marks, Mr. Kimber, Mr. Thornton, and Mr. Lowe.

RAILWAY AND CANAL TRAFFIC ACT (1888) AMENDMENT BILL.

"To amend the Railway and Canal Traffic Act, 1888, and to provide for the better carriage by rail of cycles," presented accordingly, and read the first time; to be read a second time upon Monday, 16th July, and to be printed. [Bill 283.]

SELECTION (STANDING COMMITTEES).

Mr. HALSEY reported from the Committee of Selection: That they had discharged the following Member from the Standing Committee on Trade (including Agriculture and Fishing), Shipping, and Manufactures: — Mr. John Wilson (Durham); and had appointed in substitution: Sir James Woodhouse.

Report to lie upon the Table.

PUBLIC PETITIONS COMMITTEE.

Eighth Report brought up, and read; to lie upon the Table, and to be printed.

CHINA—ANTI-FOREIGN OUTBREAK—RECENT NEWS.

On the Motion for Adjournment—

MR. ASQUITH (Fifeshire, E.) asked if the Government had any information to give the House with regard to the state of affairs in China.

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (MR. BRODRICK, Surrey, Guildford): I am afraid that I have no satisfactory information to give to the House. The situation, so far as we know, is practically unchanged since yesterday, and the allied Admirals do not seem to have been able to take any forward movement towards Tientsin.

MR. PATRICK O'BRIEN (Kilkenny): Has there been any backward movement? A statement which appears in the press to-day conveys that impression.

*MR. BRODRICK: We have no reason to suppose that any backward movement has been made, but we have no information that they have yet seen their way to undertake any further movement forward.

Adjourned at ten minutes before Six of the clock.

HOUSE OF LORDS.

Thursday, 5th July, 1900.

ASHANTI—NATIVE RISING—INVESTMENT OF COOMASSIE.

THE EARL OF CAMPERDOWN: My Lords, seeing the noble Earl the Under Secretary for the Colonies in his place, I should like to ask whether he can give the House any information with regard to the state of affairs on the West Coast of Africa.

THE UNDER SECRETARY OF STATE FOR THE COLONIES (The Earl of SELBORNE): My Lords, Her Majesty's Government have received this morning the following telegram, which I am sure your Lordships will be glad to hear, from Colonel Willcocks—

"Fumsu, 4th July.—Just received letter sent by Governor Hodgson in which he states that he, with 600 native soldiers under the command of Major Morris, departed from Coomassie 23rd June by way of Patiasa (and) Terrabum. Captain Bishop, Inspector of Constabulary, Gold Coast, and Ralph, Lagos Constabulary, and 100 native soldiers have been left behind at Coomassie with rations up to 15th July. I will personally relieve Coomassie by the date under any circumstances. Hodgson states that intended to go over river Ofin by way of Mampong to Cape Coast—but I have applied to him by urgent special messengers to leave behind as many men as possible in order to give assistance to me enter into Coomassie. Lieutenant-Colonel Burroughs, with 400 native soldiers, arrived at Dompoasi 1st July."

I may add that that means he has got through the Dompoasi Hills, which are the most difficult part of the road to Coomassie. The telegram continues—

"Enemy's force taken completely by surprise; stockades evacuated by them. Burroughs captured forty guns, quantity of gunpowder and caps, and also killed thirty of the enemy; our loss one native soldier killed in action, three native soldiers wounded."

SAT FIRST.

The Earl of Tankerville sat first in Parliament after the death of his father.

THAMES AND SEVERN CANAL PROVISIONAL ORDER BILL.

LORD BALFOUR OF BURLEIGH: My Lords, in moving the suspension of the Sessional Order of the 12th March with regard to the First Reading of Provisional Order Confirmation Bills, I will trouble your Lordships with a few words of explanation. I should not attempt to interfere with the operation of this Standing Order except upon good cause shown. I should at once agree that the onus of proving the necessity of suspending the Standing Order lies upon those who propose it, and I should not suggest that at this period of the session a Standing Order should be suspended for a Bill of this kind, unless the Department promoting it had every reason to believe that the Order would be unopposed. Important interests are involved in the Bill referred to, the object of which is to hand over to the County Council of the county of Gloucester a canal which is out of repair. The canal was authorised in the last century, but has fallen out of repair, and in 1893 the company owning the navigation published a notice of their intention to close it for through traffic. A large number of the local authorities concerned thought this would be disastrous to the community, and a trust was formed of several county councils and urban district councils to see if the undertaking could not be resuscitated. That trust have spent £15,000 upon this waterway, and have come to the end of their resources, but the County Council of Gloucester are anxious to avoid the abandoning of what they regard as an undertaking important to their district, and the object of this Provisional Order is to hand over the canal to that county council. No objections to the Order were received after many weeks of advertisement. Careful inspection has been undertaken at the hands of the officers of the Board of Trade, and the Law Officers of the Crown had to be consulted upon certain points. Under those circumstances a considerable amount of delay has taken place, but I assure your Lordships that it was unavoidable delay, for which neither the promoters nor the Board of Trade were responsible. The notice to suspend the Standing Order was put down in perfectly good faith, the Board of Trade believing that there would be no opposition. Since that time, however, an intimation of opposition has been handed to me. I do not know whether that intention is really to be carried into effect, or whether the gentleman giving the notice really proposes to petition against the Bill. If he intends

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

to oppose it I would at once say that it would serve no useful purpose to proceed with the suspension of the Standing Order, but I should like to be quite sure that the oppposition is really intended before, on behalf of the County Council of Gloucester, I abandon what I know is earnestly desired by them and what I believe will be for the public interest. To put myself in order, I move the suspension of the Standing Order; but as to whether I shall persevere in the motion, I shall be largely guided by what is said in the House, and by the opinion of the noble Lord the Chairman of Committees, who has the best right to speak on this matter.

Moved, "That the Sessional Order of the 12th March last, 'That no Provisional Order Confirmation Bill originating in this House shall be read a first time after Tuesday, the first day of May next,' be dispensed with in respect of a Bill to confirm a Provisional Order made by the Board of Trade under Section 45 of the Railway and Canal Traffic Act, 1888, in the matter of the Thames and Severn Canal."—(*Lord Balfour of Burleigh.*)

THE EARL OF CAMPERDOWN: My Lords, I venture to hope that the House will hesitate before suspending the Standing Order in this case. I believe it will be generally admitted that it is undesirable to suspend the Sessional Order except where the object is a public one, and where it is quite clear that no private interests acquired by previous legislation or otherwise will be prejudicially affected or interfered with by reason of the Provisional Order. This, of course, professes to be and is a motion on the part of the Board of Trade for a Bill to confirm a Provisional Order, but in reality it is not for any public purpose. It is, as the noble Lord has himself told us, practically the Bill of the Gloucester County Council. What may be the intention or the proposals of the Gloucester County Council as contained in this Bill we do not know, because the Bill has not been published. It is not laid upon your Lordships' Table; and I must say, in passing, with regard to the procedure of the House, that I venture to think it would be a good thing if, when it is proposed to suspend a Standing Order in the case of any Provisional Order Bill, the Bill itself should be laid on the Table and circulated, so that your Lordships should have an opportunity of seeing what there is in the Bill.

*LORD BALFOUR OF BURLEIGH: You cannot circulate a Bill until it has been read a first time.

THE EARL OF CAMPERDOWN: Possibly that is a good objection; but I think that in these cases some effectual means ought to be taken in order to inform the House, and persons who may be interested, what object the Bill is intended to achieve. This Bill proposes to take a canal from a Trust to which it now belongs, and to make an Order for abandoning the canal, and, after that Order has been carried out, then to proceed to dispose of the canal otherwise. I am not interested at all in this canal, but after looking over the statements of the Board of Trade in promoting the Bill, and what the private individual has set out who is opposing it, I felt satisfied that it was a proper case to which to call your Lordships' attention. This private opponent opposed the Bill which was promoted by the Trust in 1895 and obtained certain terms, which were conceded to him by agreement. If this Bill goes forward it will conflict with the clauses of the Act of 1895, under which these terms were obtained. I can tell the noble Lord that the private opponent certainly does intend to oppose the Bill, and to persevere in his opposition. I was a little surprised when the noble Lord said that the Board of Trade had received no notice of opposition. I have had an opportunity of reading a long letter from the Parliamentary agent of the opponent, which was addressed to the Board of Trade, and which, though it did not contain the words "I object," recited the circumstances at very considerable length, and pointed out how objectionable such a proceeding as this on the part of the Board of Trade would be, and how it would injure his client. Under these circumstances I would appeal to the noble Lord the Chairman of Committees whether it is not proper that the usual course should be taken in this case. Why should the Gloucester County Council not proceed in the ordinary way? The Bill undoubtedly affects certain existing rights. It is, properly speaking, a private Bill, and why should it not be proceeded with in the ordinary way as a private Bill? I submit that this is not a

proper case for the suspension of the Sessional Order, especially as the House is in entire ignorance of the contents of the Bill.

THE CHAIRMAN OF COMMITTEES (The Earl of MORLEY): My Lords, I take up very much the view of my noble friend behind me on this question. There is nothing irregular in the proposal being brought before your Lordships' House in the form of a Provisional Order; the irregularity consists in the Provisional Order being two months late, according to the Sessional Order of 12th March. I quite agree with what fell from my noble friend behind me, that the fault of the delay does not rest with the promoters nor with the Board of Trade, and I was quite prepared, from what I heard from the promoters, to make no objection to the Bill being introduced. But since hearing from the agent of the private individual who opposes the Bill that there is serious opposition, I venture to express the opinion that it is not a case where the Sessional Order should be dispensed with. We are now practically at the end of the first week in July. The Bill originates in this House, and if there is serious opposition it is impossible for it to be seriously considered. Under these circumstances it is hardly worth while suspending the Sessional Order in respect to this Bill.

*LORD BALFOUR OF BURLEIGH: After the expressions of opinion which we have heard I shall not persevere with my motion, but I should like to say that up till yesterday, so far as I can ascertain, no notice of opposition was lodged at the Board of Trade. I did receive a letter yesterday afternoon from the gentleman who I understand is to oppose the Bill, and on that I consulted with the Board of Trade. Under all the circumstances, although I greatly regret the necessity for postponing it, and although I believe the public interest will suffer, and that the damage to the waterway will be greater next year than it is this year, I have no option but to ask your Lordships to allow me to withdraw the motion.

Motion (by leave of the House) withdrawn.

———

The LORD CHANCELLOR acquainted the House that the Clerk of the Parliaments had laid upon the Table the Certificates from the Examiners that the Standing Orders applicable to the following Bills have been complied with:—

Local Government (Ireland) Provisional Orders (Housing of Working Classes).
Local Government Provisional Order (Housing of Working Classes).
Local Government Provisional Orders (No. 11).

The same were ordered to lie on the Table.

BRADFORD CORPORATION BILL.

Report from the Select Committee, That the Committee had not proceeded with the consideration of the Bill, no parties having appeared in opposition thereto. The Orders made on the 21st June last and Monday last discharged, and Bill committed.

ABERDEEN POLICE AND IMPROVEMENT BILL.

LONDON AND SOUTH WESTERN RAILWAY BILL.

SOUTH EASTERN METROPOLITAN TRAMWAYS BILL.

Report from the Select Committee, That the Committee had not proceeded with the consideration of the Bills, no parties having appeared in opposition thereto. The Orders made on the 19th June last and Monday last discharged, and Bills committed.

TRAMWAYS ORDERS CONFIRMATION (No. 4) BILL [H.L.].

Reported from the Select Committee with Amendments, and committed to a Committee of the whole House To-morrow.

LEE CONSERVANCY BILL.

Reported from the Select Committee with Amendments.

LIVERPOOL CORPORATION BILL.

Reported with Amendments.

COSTA RICA RAILWAY COMPANY, LIMITED, BILL [H.L.].

Reported without amendment.

NORTH METROPOLITAN RAILWAY AND CANAL BILL.

Reported from the Select Committee with Amendments.

LAND REGISTRY (NEW BUILDINGS) BILL.

Reported without amendment, and committed to a Committee of the whole House To-morrow.

LANCASTER CORPORATION BILL.

Report of Her Majesty's Attorney General received, and ordered to lie on the Table.

ROCHDALE CORPORATION BILL.
OLDHAM CORPORATION BILL.
WEST HAM CORPORATION BILL.

Moved, That the Order made on the 12th day of March last, "That no Private Bill brought from the House of Commons shall be read a second time after Tuesday, the 26th day of June next," be dispensed with, and that the Bills be now read 2ª; agreed to; and the Bills read 2ª accordingly.

ROCHDALE CORPORATION BILL.

Committed. The Committee to be proposed by the Committee of Selection.

OLDHAM CORPORATION BILL.

Committed.

WEST HAM CORPORATION BILL.

Committed. The Committee to be proposed by the Committee of Selection.

WORKINGTON RAILWAYS AND DOCKS BILL [H.L.].

Read 3ª; Amendments made; Bill passed, and sent to the Commons.

AIRDRIE, COATBRIDGE, AND DISTRICT WATER TRUST BILL.
AIRDRIE AND COATBRIDGE TRAMWAYS BILL.
BRIGHTON CORPORATION BILL.

Read 3ª, with the Amendments, and passed, and returned to the Commons.

READING CORPORATION (TRAMWAYS) BILL.
WOLVERHAMPTON GAS BILL.

Read 3ª, with the Amendments; further Amendments made; Bills passed, and returned to the Commons.

LONDON COUNTY TRAMWAYS (No. 1) BILL.
NEWCASTLE-UPON-TYNE ELECTRIC SUPPLY BILL.
SCARBOROUGH CORPORATION BILL.

Brought from the Commons; read 1ª; and referred to the Examiners.

LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDERS (No. 2) BILL.
LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 2) BILL.
HAMILTON BURGH BILL.

Returned from the Commons with the Amendments agreed to.

WIRRAL RAILWAY BILL [H.L.].

Returned from the Commons agreed to, with Amendments.

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 1) BILL.
LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 5) BILL.
SOUTH LANCASHIRE TRAMWAYS BILL.
RICKMANSWORTH AND UXBRIDGE VALLEY WATER BILL.
WEST BROMWICH CORPORATION BILL.
GREAT WESTERN RAILWAY BILL.
HALIFAX CORPORATION BILL.
HUDDERSFIELD CORPORATION TRAMWAYS BILL.
BLACKPOOL, ST. ANNE'S AND LYTHAM TRAMWAYS BILL.
METROPOLITAN DISTRICT RAILWAY BILL.

Report from the Committee of Selection, That the following Lords be proposed to the House to form the Select Committee for the consideration of the said Bills, viz.:—

M. Winchester,
E. Romney,
V. Portman (chairman),
L. Tredegar,
L. Monckton (*V. Galway*);

agreed to; and the said Lords appointed accordingly. The Committee to meet on Monday next, at Eleven o'clock, and all petitions referred to the Committee, with leave to the petitioners praying to be heard by counsel against the Bills to be heard as desired, as also counsel for the Bills.

PIER AND HARBOUR PROVISIONAL ORDERS (No. 1) BILL.

House in Committee (according to Order); Bill reported without amendment; Standing Committee negatived; and Bill to be read 3ª To-morrow.

TRAMWAYS ORDERS CONFIRMATION (No. 2) BILL [H.L.].

Read 3ª (according to Order), and passed, and sent to the Commons.

LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDERS (HOUSING OF WORKING CLASSES) (No. 2) BILL. (No. 165.)

LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDERS (No. 3) BILL. (No. 166.)

LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDERS (No. 4) BILL. (No. 167.)

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 10) BILL. (No. 168.)

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 15) BILL. (No. 169.)

TRAMWAYS PROVISIONAL ORDERS (No. 5) BILL. (No. 170.)

Brought from the Commons; read 1ª; to be printed; and referred to the Examiners.

RETURNS, REPORTS, ETC.

TREATY SERIES.

No. 12 (1900). — Accession of the Republic of Uruguay to the Convention signed at Geneva 22nd August, 1864, for the amelioration of the condition of the wounded in armies in the field, 3rd May, 1900.

No. 13 (1900).—International Convention respecting the liquor traffic in Africa [signed at Brussels, 8th June, 1899]. Ratifications deposited at Brussels, 8th and 19th June, 1900.

LIGHT RAILWAYS ACT, 1896 (HIGHBRIDGE, WEDMORE, AND CHEDDAR LIGHT RAILWAY ORDER, 1900).

Order made by the Light Railway Commissioners, and modified and confirmed by the Board of Trade, authorising the construction of light railways in the county of Somerset, between Highbridge, Wedmore, and Cheddar.

Presented (by Command), and ordered to lie on the Table.

SEA FISHERIES ACT, 1868 (ORDERS FOR FISHERY GRANTS, 1899-1900).

Report of the Board of Trade under Part III. of the Sea Fisheries Act, 1868. Laid before the House (pursuant to Act), and ordered to lie on the Table.

EDUCATION.

Return respecting. Laid before the House (pursuant to Order of the 19th June last), and to be printed. (No. 163.)

COPYRIGHT BILL [H.L.].

COPYRIGHT (ARTISTIC) BILL [H.L.].

Leave given to the Select Committee to report from time to time.

COPYRIGHT BILL [H.L.].

Reported from the Select Committee with Amendments, and committed to a Committee of the whole House, and to be printed as amended. (No. 162.)

RAILWAYS (PREVENTION OF ACCIDENTS) BILL.

House in Committee (according to Order).

Clauses 1 to 9 agreed to.

Clause 10 :—

LORD DE RAMSEY: I understand from the noble Lord who has charge of this Bill that he has not yet seen the Amendment which stands on the Paper in my name. I therefore, with your Lordships' permission, propose to postpone it until the Third Reading stage.

LORD JAMES OF HEREFORD: I am obliged to my noble friend for allowing his Amendment to stand over. I wish to confer with the Board of Trade before giving him an answer with regard to it.

Clauses 10 to 13 agreed to.

Clause 14 :—

LORD AVEBURY: I have a couple of Amendments to this clause, but for the reason just given by the noble Lord opposite I will bring them forward at the Third Reading.

Clause 14 agreed to.

Bill reported, without amendment, and recommitted to the Standing Committee.

ECCLESIASTICAL ASSESSMENTS (SCOTLAND) BILL.

House in Committee (according to Order); Bill reported without amendment; and recommitted to the Standing Committee.

WORKMEN'S COMPENSATION ACT (1897) EXTENSION BILL.

[SECOND READING.]

Order of the Day for the Second Reading read.

*THE LORD PRIVY SEAL (Viscount CROSS): My Lords, in moving the Second Reading of this Bill I would remind your Lordships of the debates which took place in this House and elsewhere on the passing of the Workmen's Compensation Bill of 1897. That Bill introduced a novel principle in the matter of trade and business, making the business itself responsible for the risks of that business. Great apprehensions were entertained at the time that the Bill was going a good deal too far, and many persons, I believe, thought that such legislation would be a serious interference with trade and manufacture, and that great losses would be sustained by those engaged in such trades. There were other objections taken to the passing of that measure, not that it was too large, but that it was too small and did not include workmen in agriculture. The Government, whether rightly or wrongly—in my opinion rightly—said they would not include agriculture in the Bill of 1897 until time had elapsed, and they had been able to see whether the Bill would work well between employer and employed, and whether any serious mischief would arise from the passing of the Bill. Three years have elapsed since the Bill became law, and two things have happened. In the first place, although the Bill has very often been before courts of law in order that a legal interpretation might be obtained of that measure—which was no doubt complicated, and in some cases difficult of interpretation—the principle is now fully understood, and it is well known what the meaning of the Act really is. In the second place, those apprehensions which were conscientiously entertained as to the wisdom of passing the Bill and introducing this novel principle have really come to nothing. The Act has worked very smoothly and has been entirely satisfactory, I believe, to employers and employed. After three years experience of the Act of 1897 the Government are of opinion that it would be wise that the present Bill—which was introduced by a private Member in the other House, where it was thoroughly discussed, and which has for its object the extension of the Act to agricultural labourers, whose exclusion in 1897 was the subject of much comment—should be passed into law this session. I should like to say one word with regard to the first clause. The Bill as originally introduced was simply to extend the provisions of the Act of 1897 to agriculture entirely. It was felt in the discussions in the other House, and I believe outside, that there should be some limitation as to the extent to which the Bill should go. That matter was most carefully discussed and the clause amended, it being felt that if there was no limitation in the case of small farmers, who might simply have an allotment and employ casual labourers, great hardship might be done, such farmers probably being in no better financial position than the casual labourers whom they employed. The first section of Clause 1 was altered, and now reads as follows—

"From and after the commencement of this Act, the Workmen's Compensation Act, 1897, shall apply to the employment of workmen in agriculture by any employer who habitually employs one or more workmen in such employments."

That was to exclude very small men, and to include every *bonâ fide* farmer. The best words to secure this object which could be found in the other House were those embodied in the Bill. I hope your Lordships will accept the Bill as it has come up to us and pass it into law in the course of the present session. During the discussion elsewhere there were two or three other points raised which had not been foreseen by the private Member who introduced the Bill. In many cases farmers pay by piece work and not by day work, and in order to meet such cases the following section was introduced—

"Where any such employer agrees with a contractor for the execution by or under that contractor of any work in agriculture Section 4 of the Workmen's Compensation Act, 1897, shall apply in respect of any workman employed in such work, as if that employer were an undertaker within the meaning of that Act."

On large farms a great deal of the work is done by a contractor who brings with

him machinery for the purpose of threshing and ploughing, and it was thought that it would be very hard on the farmer if he had to pay damages to workmen employed by this contractor, who ought to be himself responsible for the safety of his own men. Therefore, the following clause has also been introduced—

"Provided that where the contractor provides and uses machinery for the purpose of threshing, ploughing, or other agricultural work, he, and he alone, shall be liable under this Act to pay compensation to any workman employed by him on such work."

That would not relieve the farmer to any extent so far as his own men were concerned, but it would relieve him of responsibility for any injury to the servants of his contractor. I do not think I need trouble your Lordships by referring to any of the other matters in the Bill. I will content myself by expressing the opinion that it will be of very great advantage to agricultural interests generally, and I trust that your Lordships will read it a second time.

Moved, "That the Bill be now read a second time."—(*Viscount Cross.*)

THE EARL OF KIMBERLEY: My Lords, I have certainly no objection to the principle of this Bill. I never could understand, and do not now, after the explanation of the noble Viscount, why the Government thought proper in the preceding Bill to exclude the industry of agriculture, and I am rather surprised to hear the argument which appears to be now used in favour of that course having been taken. The application to artisans only seems to be supported on the principle of *fiat experimentum in corpore vili*. That seems to be rather remarkable. I should have thought that the artisans were so important a class that it was not upon them that you should try experiments. I congratulate the noble Viscount on the extraordinarily rosy view which he takes of the working of the Workmen's Compensation Act. The principle of it seems to be generally recognised as good, but I have been myself under the delusion—as I suppose I must call it—that there was very wide discontent with the framing of that Act, that very great difficulty had occurred in applying its machinery, and it was said to be in great part unintelligible, making frequent application to courts of law necessary. I am sure the opinion expressed by the noble Lord as to the smoothness of the operation of the Act cannot be shared generally by those who have paid attention to what has been passing in the Courts. The noble Viscount is persuaded that all the questions which arose under that Act have now been so completely settled that there is no probability of further difficulty. I have no information to lead me to contest that statement, but it certainly seems to me to be a rather sanguine view to entertain. I shall not trouble the House with any remarks with regard to the limitations of the Bill. It may possibly be that these limitations may be necessary, but I should like to ask the noble Viscount for some explanation of two of the sections to which he referred. I understood the noble Viscount to say that the second section of Clause 1 was inserted in order to meet the very common practice of a labourer undertaking work by piecework. I confess that it rather puzzled me, when I saw the clause, to find that a man who undertakes the very ordinary operation of agriculture by piecework is a contractor. If that is the proper legal term I have nothing more to say, but I should like to see a word used which would be more intelligent to the ordinary reader. I am certain there is no farmer in this country who would imagine that a man he employed to hoe turnips at so much an acre was a contractor. I hope the section is perfectly sound in law. I am not a lawyer, but I should think that applications to the Court to interpret the word "contractor" will be far from improbable. With regard to the machinery of the Bill I have nothing to say. I think it is rather surprising that this Bill was left to a private Member to bring forward. I should have thought the Government, having made up their minds that after three years working of the Act of 1897 it was safe to apply it to agricultural labourers, would themselves have brought in a Bill. I do not want to make this a matter of party at all; but certainly the agricultural labourer will have no reason to thank the Government for having passed this Bill.

THE EARL OF CAMPERDOWN: My Lords, I do not rise to offer any opposition to this Bill. On the contrary, I

approve of its provisions, and I have never been able to see why agricultural labourers were not as much entitled to be included in the Act of 1897 as any artisan or labourer of any other kind. I have only one remark to make. I wish to call the noble Viscount's attention to Sub-section 2 of Clause 1, to which the noble Earl the Leader of the Opposition has just alluded. That section says that Section 4 of the Act of 1897 shall apply with a certain proviso. I hope the provision for indemnity contained in Clause 4 of the Act of 1897 will also be inserted in the present Act, and I would submit this point in the hope that the noble Viscount will consider it between now and the Committee stage.

*LORD WINDSOR: My Lords, I should like to express my satisfaction that Her Majesty's Government have taken up this Bill, and thereby practically ensured its passing into law this session. I do not think that anybody suggested during the debates in this House in 1897 that the Workmen's Compensation Bill of that year was applicable only to those trades which were particularly dealt with by that Bill. I think it is not an unfair thing to say that the extension of the Bill to agricultural labourers was the expectation of those who supported it, and the warning of those who objected to it. There were one or two Members of your Lordships' House who did object to the Bill. The noble Marquess who is now Postmaster General said that nobody had asked for it. However true that may have been at the time, I think there is no doubt that the agricultural labourers now take a very decided interest in this Bill, and desire that it should be passed. On the few occasions on which I have addressed audiences partly composed of agricultural labourers during the past year, I have found that next to the war in South Africa this is the only question which really seems to rouse interest in them. If it is admitted that the principle should be extended to agricultural labourers, the only point is whether it can be done so that no undue hardship or burden is placed upon the employers of agricultural labour. It seems to me that that becomes a question of insurance, and I do not think anybody can say that the terms which are now offered by insurance companies for the insurance of agricultural labourers would place any severe burden on the employers. I understand that certain insurance companies are willing to insure for 3s. per £100 of wages paid, and, though there is a limit of 5s., below which amount the companies will not insure, the very small employers of labour can get out of that by combination. In that way I venture to think that no real hardship will fall upon small employers of labour. Those connected in any way with the land know that one of the difficulties farmers have to contend with is that of obtaining labour at particular times of the year. I do not suggest that the absence during the past three years of the protection of this Compensation Act has been the cause of the difficulty of getting labour, but I do say that a disparity and disadvantage of this kind will make it still more difficult for farmers to obtain labour, and give workmen a still greater inducement to go to the towns. I think it is of the greatest importance that the benefits of the Workmen's Compensation Act of 1897 should be extended to workmen in agriculture as speedily as possible, and I wish again to express my satisfaction that the Government have taken the Bill up, and that there is some chance of its passing into law.

*LORD STANLEY OF ALDERLEY: My Lords, I am glad that Her Majesty's Government have got this Bill so far safely on its way, and that there is a good possibility of a measure becoming law this session which will help to keep labourers on the land. The noble Earl behind me, the Leader of the Opposition, expressed himself as rather afraid of litigation arising, but under the system of insurance which has lately been advertised and set on foot there will be no such risk, because insurance companies will compensate in all cases without the necessity of litigation. Last year I insured all my labourers in Cheshire, and this year I have done the same in Anglesey, and between those two occasions the rates have been lowered from 3s. 6d. to 3s. 3d. or 3s.—I am not quite sure which, but there has been a considerable reduction. The only case where it might possibly press hard would be that of the small farmer, but he must hope that good luck will prevent him having any serious accident.

*VISCOUNT CROSS: Far be it from me to say that the ingenuity of the lawyers

would not enable them to raise fresh points on the Act of 1897. What I meant to say was that the more prominent points have already been decided, so that the Act is much more intelligible now than it was when passed. With regard to what fell from the noble Earl below the gangway, I cannot say that subsection 2 of Clause 1 is in the best form in which it could be put, and I will take care that the observation he has made shall be considered by the lawyers, and if it can be improved in form I will see that some amendment is made at a later stage. That the Act of 1897 has on the whole worked satisfactorily, and that the evils which were apprehended have not proved real, is shown by the fact that the insurance companies are asking much lower rates than were asked at first. If we want any proof that the Act is working satisfactorily we have it by the action of the insurance companies.

On Question, agreed to. Bill read 2ª accordingly, and committed to a Committee of the whole House To-morrow.

IMITATION OF COUNTY COURT PROCESS BILL [H.L.].

House in Committee (according to Order). Bill reported without amendment; and re-committed to the Standing Committee.

DISTRICT COUNCILLORS AND GUARDIANS (TERM OF OFFICE) BILL.

House in Committee (according to Order): Bill reported without amendment; Standing Committee negatived; and Bill to be read 3ª To-morrow.

COMMONWEALTH OF AUSTRALIA CONSTITUTION BILL

[THIRD READING.]

Order of the Day for the Third Reading read.

Moved, "That the Bill be now read a third time."—(*The Earl of Selborne.*)

LORD STANMORE: My Lords, before this Bill is read a third time and passes finally from the cognisance of this House, I should like to ask for an explanation from Her Majesty's Government of some of the terms employed in the fifty-first section in regard to the subjects with which the Commonwealth Parliament is empowered to deal. Those subjects are very numerous, and for the most part require very little explanation, but there are one or two points about which I think it is only right that your Lordships should receive some information as to the meaning attached to the words, on the one hand by Her Majesty's Government, and on the other hand by the Governments of the Australian Colonies. I wish, first of all, to call attention to the words "external affairs." How are these words to be interpreted? They may be interpreted in a vastly extended sense or in a very restricted one. I wish to know what interpretation Her Majesty's Government place on them and what interpretation the Governments of the Australian Colonies put upon them. Do these words mean that the Legislature of the Commonwealth may, if they like, appoint consuls and diplomatic agents in different parts of the world? It would be satisfactory to know to what extent the external affairs of the colonies are to be placed under the control of the Legislature and Government of the Commonwealth, because it may be held by some to be a power which I do not think your Lordships intend to confer. This is not altogether a speculative question, because I remember very well many years ago, when I was more conversant with the opinions of Australian statesmen than I can now boast of being, there were many very distinguished Australian public men who held that it was the right of the colonies that they should conduct their own external affairs, and who were eager to attain that object, and I do not believe that that wish has altogether died out. The next item is also one with regard to which I think some explanation would at least be acceptable—I do not say it is absolutely necessary. Under that clause the Commonwealth Parliament are also enabled to legislate with regard to "The relations of the Commonwealth with the islands of the Pacific." These are very large words. There are many classes of islands—islands which either belong to or are more or less under the influence of Great Britain, islands which are independent, islands which are the property of foreign Powers, and one group of islands which form a separate British colony. Is it intended that the Commonwealth is to have power to legislate with regard to all these islands? I presume not. No one would

suggest that the Commonwealth Parliament should have power to legislate with regard to the relations existing between the Australian colonies and those islands of the Pacific which are the property of foreign nations. It is desirable that we should not be committed to vague words which may mean many things, and in connection with which questions may be raised to the great inconvenience of administration. The Commonwealth Parliament is also empowered to legislate as to "Fisheries in Australian waters beyond territorial limits." I confess I do not understand how they can have jurisdiction beyond the territorial limits, because the waters beyond those limits form part of the high seas. I cannot sit down without expressing that fervent hope, which I am sure everyone who has had any connection with the Australian colonies must feel from the bottom of his heart, that this great measure may be one attended with all the success and lead to all the benefits which its authors have anticipated.

*THE EARL OF SELBORNE: My Lords, the noble Lord who has just addressed you must remember, if he kindly will, what the scheme of Sub-section 51 is. It is a scheme to confer upon the Commonwealth Parliament a concurrent right of legislation with the Legislatures of the Australian States, and I am advised that "external affairs" in this connection mean neither more nor less than the right of dealing with that which has hitherto been dealt with by the Australian Colonies, which in future will become the Australian States. It is certainly not intended by the authors of this Bill that these words should be stretched so as to invest Australia with the paraphernalia of consuls and ambassadors separate from the British Empire. As regards the question of the relations of the Commonwealth with the Islands of the Pacific, those words are imported directly from the Federal Council of Australia Act, 1885. It is a simple transfer of the jurisdiction conferred in that Act upon the Federal Council to the Commonwealth Parliament. Section 15 of that Act began as follows—

"Saving Her Majesty's prerogative, and subject to the provisions herein contained, with respect to the operation of this Act, the Council shall have legislative authority in respect of the several matters following."

The first matter was the relations of Australasia with the Islands of the Pacific. That is a mere transfer from one Act to the other, and the spirit in which it has been introduced and is intended to be worked by the authors of this Bill is the same as that which animated the authors of the Federal Council Act. I do not think it would be possible to lay down a strict rule beforehand as to the exact scope of this provision, but I do not think there is any more reason to suppose that this sub-section will be abused than there was danger that the Federal Council would abuse the powers conferred upon them. Before I sit down I should like to refer very briefly to one or two points that arose in the Debate on the Second Reading in connection with Clause 74. The noble Lord who followed me in the debate (Earl Carrington) will pardon me for saying that he seemed completely unaware of the doubts and difficulties which had arisen over the original wording of Clause 74. He seemed to be absolutely at sea as to the questions which were really discussed by the delegates and Her Majesty's Government, and I do not think he at all apprehended that in the attitude he was taking up he was putting himself in a position of opposition to the prevailing Australian public opinion. There were several objections to the clause apart from the points specially emphasised by Mr. Chamberlain in another place. One objection was that the interpretation of the clause was, at any rate, doubtful. If your Lordships refer to page 17 of Blue-book 158, which contains copies of the Memoranda furnished to Her Majesty's Government by the Australian delegates, you will see that it is asserted that the clause as brought to this country did not in any way impinge on the right of appeal to the Privy Council, except in a limited number of constitutional cases; but that was merely a question of opinion. It was open to argument that the right of appeal from the State Courts was abrogated altogether, and it was also open to argument that it was only abrogated in cases in which the Constitution might be supposed to be affected. It is not for me, being a layman, to give any opinion as to which of these views was the wisest or most sound. I only mention them to show that there was a real doubt as to the meaning of the clause as brought to this country,

and, whatever may be thought of the ultimate shape the clause has assumed, your Lordships must admit that the right of appeal is reserved in all cases, and that the only question is whether it was wise or unwise to leave it to the High Court of Australia to decide whether in a certain class of cases an appeal should lie. I was asked very pointedly why the provision which appeared in the original clause, "unless the public interests of some part of Her Majesty's dominions other than the Commonwealth or State are involved," was omitted from the clause as it stands at present. The reason is that it did not seem to Her Majesty's Government, in consultation with the delegates, that the words were any longer necessary, because any such case can now be taken direct to the Privy Council from the Supreme Court of a State, or, if it goes to the High Court of the Australian Commonwealth, it can be taken to the Privy Council by leave of the High Court, and Her Majesty's Government have absolute confidence in the discretion of the High Court. Great stress was laid upon the point that it might be held in the future that the High Court was a co-ordinate court with the Privy Council so far as the interpretation of the Constitution in a particular class of cases was concerned, and some doubt was felt as to the accuracy of my statement that there were precedents in the judicature of this country for allowing an inferior court to be the deciding authority as to whether there should be an appeal to a higher court. I find in the Judicature Act of 1873 that—

"All appeals from Petty or Quarter Sessions, from a County Court, or from any other inferior Court, which might before the passing of this Act have been brought to any Court or Judge whose jurisdiction is by this Act transferred to the High Court, may be heard and determined by Divisional Courts of the High Court, consisting respectively of such of the Judges thereof as may from time to time be assigned for that purpose, pursuant to the rules of Court, or (subject to rules of Court) as may be so assigned according to arrangements made for the purpose by the Judges of the High Court. The determination of such appeals respectively by such Divisional Courts shall be final unless special leave to appeal from the same to the Court of Appeal shall be given by the Divisional Court by which any such appeal from an inferior Court shall have been heard."

That was a direct case in which the leave to appeal to the Court of Appeal was to be given by the lower or inferior Court. That enactment remained in force for, I believe, something like twenty years, when an Amendment was introduced by which the leave to appeal to the Court of Appeal may be given by the Court of Appeal as well as by the inferior Court. There is another precedent in questions of bankruptcy—and in this matter there has been no change in the law—in which an appeal lies to the House of Lords on the leave of the Court of Appeal. It is not the House of Lords which gives the leave to appeal, but the Court of Appeal. In neither of these cases has the inferior Court been held to be co-ordinate with the Court above it. The Lord Chief Justice, in arguing this question, laid great stress on the words "final and conclusive." I have carefully looked up what the noble and learned Lord said, as reported in *The Times*, and I think I am not misrepresenting him when I say that his argument was to the effect that there could be no doubt that the Privy Council would, in all matters including the interpretation of this Act, be held to be the final authority, except in that limited class of cases defined in Clause 74, in which leave to appeal to the Privy Council is left to the discretion of the High Court. In that class of cases, and in that class of cases alone, the noble and learned Lord said he had a fear that it might be held that the High Court of Australia was a co-ordinate court with the Privy Council. The Lord Chief Justice, if he will pardon me for saying so, was speaking without having the exact words of the clause in his hand, because the words "final and conclusive" do not appear in that particular clause, but in the previous clause, in relation not to those special points on which the High Court is to give leave to appeal, but to the much larger class of cases in which the Lord Chief Justice himself admitted that there could be no doubt that the authority of the Privy Council would be supreme. Therefore, whether his contention was right or wrong, he cannot rest it on the insertion of the words "final and conclusive," because they do not appear at all in the clause to which he was referring. I have been rather rash, as a layman, in mentioning these points, but I could not pass over in silence arguments which I venture to think were faulty. I cannot see how it can possibly be contended that there can be any superior judicial autho-

rity in Her Majesty's Dominions than Her Majesty herself, the fount of all justice; and I am advised—and as a humble student of history I have always understood—that the decision of the Privy Council is the most direct form of expression of the judicial authority of the Crown, and that there is no precedent in the history of the judges of our race for setting up the authority of any Court deriving its judicial functions from Her Majesty over that direct expression of Her Majesty's own opinion which is to be found in the decisions of the Privy Council. This is the final stage of this great measure in your Lordships' House. What the future has in store for Australia few of us will venture to measure; but perhaps we can exercise our imagination, and try to judge what the future of Australia will be by endeavouring to conjecture how different would have been the development of the thirteen petty American States if they had not become the great United States of America; and I am sure your Lordships will join with me, re-echoing that watchword of Australia, "Advance, Australia," in the hope that Australia united will, with Canada, and, I hope, in the not far distant future, with South Africa, be a partner with the United Kingdom in the great work that lies before it.

THE EARL OF KIMBERLEY: My Lords, it would have been more satisfactory if the noble and learned Lords who usually sit behind me had been present when the noble Earl thought fit to make this statement in answer to what was said by them on the Second Reading of the Bill, but unfortunately they are not here. I can assure the noble Earl that there is a very strong feeling on this side of the House, and I believe among many people, that the Bill as it is now framed is not only not an improvement on the point of the appeal to the Privy Council, but is distinctly less satisfactory, than the Bill as it originally stood. In the original Bill Clause 74 declared that no appeal should be permitted to the Privy Council in any matter involving the interpretation of the Constitution, unless the public interests of some part of Her Majesty's dominions, other than the Commonwealth of Australia, were involved. It appeared to many of us, and certainly to me, that the provision which was introduced in the original Bill by the Australians was animated by a desire to guard to the utmost possible extent against any interference by the Australian Commonwealth in matters of public interest outside Australia itself. To the ordinary man that appears to be a far better safeguard than what is now in the Bill. You have said that no appeal in certain cases should be allowed unless that appeal is permitted by the High Court itself. I have, of course, like all your Lordships, perfect confidence in the integrity and knowledge of the learned judges who will constitute the High Court of Australia, but anyone, I think, who knows what human beings are cannot but see that any tribunal which is appointed for the ordinary administration of justice stands in quite a different position when they themselves are to be the judges as to whether or not there should be an appeal in matters affecting their own court. I cannot conceive any task more difficult or invidious to fulfil. I can easily imagine that in certain cases there may arise a feeling of dissatisfaction with the decision of the Court, and that people may say the appeal ought to have been allowed. That seems to me a point of great importance. I am obliged to say that I have neither seen nor heard any answer to the arguments of my noble friends the Lord Chief Justice and Lord Davey; and many of us who have paid what attention we could to this Bill are still lost in astonishment that there should ever have been raised this controversy with the Australian colonies. In my belief it would have been far better, safer, and wiser to have accepted the Bill as it stood. I would not have blamed Her Majesty's Government for taking care that the right of appeal was fully preserved. That was a matter of so high importance that it was a very fair subject for consideration; but, if they had considered it from the point of view that they should have done, they would have found there was no necessity for raising the controversy. Although the controversy is now, happily, ended—and we all know that the result is acceptable to the Australian colonies—yet there was a moment when there was very serious apprehension lest there might be difficulties raised in Australia which might possibly wreck the whole scheme. I again repeat that I do not understand for what possible reasons this controversy

was raised. The only explanation we can invent may possibly be ill-founded—it is that the first intention of those who objected to the Bill as it stood was to preserve the right of appeal altogether intact. It was found that that raised a very serious and very great difficulty as regards the colonies themselves. Then we saw with astonishment the Colonial Secretary appealing to newspapers in the colonies against the opinion of the Colonial Governments and the whole Australian people—one of the most imprudent and objectionable things I have ever known done by a responsible Minister of the Crown in a matter of this importance.

THE EARL OF SELBORNE: The noble Earl has forgotten that the Governments thanked the right hon. Gentleman for what he had done.

THE EARL OF KIMBERLEY: Then they were thankful for small mercies. It was a matter of great relief to them that he had come back to something they could accept. When it was found that the original course intended was impossible, it became necessary to find some way out which might save the credit of the Minister who had charge of the matter. I admit and admire the ingenuity with which it was done. The first attempt, which was communicated to the House of Commons, and was stated to be entirely satisfactory, broke down altogether, and then, at last, very ingeniously, and, I think, with wisdom, what is called a compromise was hit upon. I say it was ingenious. It was ingenious to find out such a contrivance, and it was wise, because it turned out to be something the Australian colonies could accept. But the conduct of the matter was not such as to excite any very great admiration. I am very glad the Bill has arrived at this the last stage, and I assure your Lordships I would not have referred to the controversy at all if the noble Earl the Under Secretary for the Colonies had not seen fit to comment upon it.

THE LORD CHANCELLOR (The Earl of HALSBURY): My Lords, I do not share with the noble Earl the opinion that Clause 74 as it originally stood was better than it has since been made. I may, perhaps, venture to suggest to the noble Earl that if he had had to construe as a judge the words "public interest in some other part of Her Majesty's dominions," he would have found considerable difficulty. I myself took great exception to the phrase, and, again, with reference to what he calls an invidious course—that of calling upon a court to say whether there should be an appeal from it or not—I would ask the noble Earl whether he has not heard of such a provision before. There is hardly a court in the country in which exactly that provision does not exist. It exists in courts of quarter sessions, in courts of summary jurisdiction, in courts of first instance, and in courts of appeal. Those courts have from time to time exercised the very discretion contemplated here. It may be true that on some occasions people have said, "Oh, that Court was wrong; it ought to have allowed an appeal"; but on the whole the discretion is supposed to be exercised wisely and impartially. The question of the true construction of the Act, which was raised on the Second Reading by the Lord Chief Justice and Lord Davey, is one upon which any intelligent laymen is as well able to form an opinion as a lawyer. The point, apparently, is that there are some matters reserved for the Court in Australia, and reserved in the sense that its decision is final. So far as that particular case is concerned, of course the fact of the reservation by the statute prevents the particular case ever being brought up again anywhere else. That is perfectly true. But the important question which was suggested was that if the Court in Australia gave a different decision from some decision in this country—not in a particular case, because, of course, that could not arise, but in some equivalent case—it might be said that there was no authority in the Supreme Court of this country to overrule, in the sense of saying that was not the law. I think in making this statement the noble Lords have not sufficiently considered this point. The Supreme Court must ultimately declare the law, and that law must be final in all courts.

*LORD MORRIS: I was unable on the Second Reading, owing to illness, to take part in the discussion on this Bill, but I should not like it to pass without making a few observations upon it. I regret extremely that Clause 74 was ever introduced into the Bill, and,

having been introduced, that it was not deleted. I heard the speech of the Colonial Secretary in the House of Commons, and I was convinced in my own mind of the absolute danger of meddling at all with the appeal to the Queen. The noble Earl opposite has asked why this clause was not struck out. He ought to have a very good opportunity of supplying the answer, which is an obvious one. It is, that immediately the Colonial Secretary suggested that Clause 74 should be deleted—which in my humble opinion would have been the best course for the Australians themselves, and which was manifestly in accordance with the opinion of the greater part of, if not the entire, judiciary and Bar of Australia, and of all the persons who understood the subject—the Leader in the House of Commons of the party which the noble Earl opposite represents in this House attempted to make party capital out of the suggestion by saying that the Colonial Secretary had flouted the Australians. That the course which the Colonial Secretary took was the proper course in the opinion of experts that right hon. Gentleman endeavoured to prove by referring to general sources of information, such as newspapers, etc., which I have often heard quoted as sources of information open to everybody, although it has been suggested this evening by the noble Earl that it was unworthy and unbecoming to refer to them. The proposal to get rid of Clause 74, and to leave the right to appeal to Her Majesty in Council to every subject of Her Majesty who thought he was injured in person or property, was called flouting the Australians, and it was quite obvious to me that, if the clause had been struck out, "Who flouted the Australians?" would have been raised as a party cry. A change was forced upon the Colonial Secretary by the position taken by the Leader of the Opposition in the House of Commons, and which the rank and file of his party appeared quite ready to follow up. I regret extremely that the clause was not left out, and the right of appeal in Australia allowed to stand on the same footing as the right of appeal in Canada. It has been said that it is a novel thing for an inferior court to have the power of giving leave to appeal to a superior court. In the case of landed property in Ireland it is not considered so extraordinary that there should be no appeal from the Land Commission Court without their own leave. I join heartily in the chorus of admiration which has found expression among all parties in regard to this Bill.

*Lord ALVERSTONE: My Lords, I would crave your Lordships' indulgence for a few moments while I express my opinion on the point raised by the noble Earl the Leader of the Opposition. I am one of those who would have been most anxious to preserve the original right of appeal; not so much in the interests of the United Kingdom as in the interests of the colonies of Australia themselves. I have had personal experience of the great value the right of appeal was to Canada, and I know that grave political questions, which excited great public attention, were disposed of by the Judicial Committee of the Privy Council in a way which was satisfactory to all. But that is not the issue now raised. The noble Earl has given the great weight of his opinion, which I very much regret, to the view that the form in which the Bill was brought to this country by the Australian delegates was better than the form in which it now stands. I happen myself to have taken part in all the preliminary discussions in regard to the Bill, and I would ask your Lordships to permit me to present one or two arguments which, I think, should satisfy independent minds that the view presented by the noble Earl is not right. The noble and learned Lord on the Woolsack has already referred to the difficulty of construing the clause as it originally came to this country, but that was not the way in which the difficulty was presented to those of us who had to do with the negotiations. It was practically admitted by those who were at that time arguing for the possibility of retaining the clause that an appeal might be debarred in the case of most important interests, such as those of great shipping companies. It was conceded by those with whom we discussed the matter that such important interests would not fall within the words, "the public interest of some part of Her Majesty's dominions." Very grave doubt also was felt whether or not the appeal from the Colonial Courts, as well as from the High Court of the Commonwealth, was interfered with. The Colonial Secretary and those associated with him accordingly endeavoured to induce the

delegates to agree to Clause 74 being cut out altogether. I am aware that we were not able to attain the full object we had in view, but the noble Earl has expressed the opinion that the clause as it now stands is less advantageous. The analogy of Canada has been quoted, but there is a marked difference. In Canada the rights of legislation between the Dominion and the provinces were carefully defined by sections in the North American Act, but under this Bill there will be to a certain extent co-equal powers between the States and the Commonwealth. Therefore there was a substantial ground for asking—if a question does arise between the Commonwealth and the State as to the powers of the respective Legislatures—is not that a matter which you could safely leave to the High Court to deal with? Accordingly the words were agreed to that—

"No appeal shall be permitted to the Queen in Council from a decision of the High Court upon any question howsoever arising as to the limits *inter se* of the Constitutional powers of the Commonwealth and those of any State or States or as to the limits *inter se* of the Constitutional powers of any two or more States, unless the High Court shall certify that the question is one which ought to be determined by Her Majesty in Council."

That was a concession made to the feeling of Australia, and if I take that by itself I do not think the noble Earl would be able to say that it is not far preferable to leave the right of appeal standing generally, and to limit the express and particular point which was to be left to the High Court. One leaves the right of appeal standing, with an exception which is actually expressed in the Bill; the other would have made it necessary, in order to allow an appeal to be brought, to satisfy that extraordinary provision, "the public interest of some part of Her Majesty's Dominions." An advantage having, I would humbly submit, been gained by preserving the right of appeal and by limiting the particular questions which might be dealt with by the High Court of the Commonwealth, we have to consider whether there is anything in a subsequent part of the clause which in any way deprives the subjects of the Queen of the advantage, which I trust I have demonstrated, the Bill in its altered form gives them. The next paragraph in the clause provides that—

"The High Court may so certify, if satisfied, that for any special reason the certificate should be granted and thereupon an appeal shall lie to Her Majesty in Council on the question without further leave."

In the interest of Australia I should have been glad to see the colonies and the Commonwealth, or persons interested in questions that may arise between them, free to appeal to the Privy Council—and I hope that view may still find weight with the Australian Commonwealth — for in times of great political excitement this is especially valuable that leave to appeal to the Privy Council may be given; and I do not doubt that when great political questions arise every member of the High Court will feel it his duty to accept the guidance of this impartial tribunal, which can be relied upon to decide the questions free from any bias or political agitation. It is said that you impair the dignity of the Privy Council and run some risk of its decisions not being followed, because leave is given in this particular case to appeal. I share with the noble and learned Lord the Lord Chancellor a feeling of astonishment that such views should have been placed before your Lordships as were put forward by the Lord Chief Justice and Lord Davey. I regret I was not here on the Second Reading of the Bill, and I am sorry that the noble and learned Lords are not in their places to-day. Appeals have been given by inferior Courts to higher Courts in the circumstances mentioned by the Lord Chancellor and others, and I have never yet heard it suggested that the Court which had given the leave afterwards felt itself justified in declining to obey the rule of law laid down by the Court to which it had given leave to appeal. Lord Davey, I understand, suggested that there would be two sorts of Courts of Appeal in which the Jurisdiction would appear to be co-ordinate. I venture respectfully to suggest that the experience of the world is contrary to that view, and I do not hesitate to say that every lawyer, at any rate, who follows the traditions of our profession, sitting in the High Court of the Commonwealth would feel it his bounden duty to follow the decision of the Privy Council. I think the noble Earl will agree that, if I have pointed out, as I trust I have, that far wider rights of appeal are reserved, and are kept alive under the existing form of the Bill than would have existed under the Bill as introduced, and if I have pointed out

that the door is open in times of political agitation for the High Court to send questions to be decided by an impartial tribunal, almost every argument he has used in support of the view that the Bill as now presented to the House is inferior to the Bill as it was brought to this country is cut away. I apologise for having troubled your Lordships at such length. But, believing as I do that in the interests of the colonies, quite as much as in the interests of Great Britain, it is desirable that the right of appeal should not be interfered with, I am satisfied that the clause as it now stands is a vast improvement upon the form in which it was brought over by the delegates from the colonies. It is because I hold that opinion strongly that I have ventured to raise my voice, for the first time in your Lordships' House, in opposition to the view of the noble Earl.

On Question, agreed to. Bill read 3ª accordingly, and passed.

MARRIAGE ACT AMENDMENT BILL [H.L.].

Amendments reported (according to Order).

UNION OF BENEFICES ACT, 1860, AMENDMENT BILL [H.L.].

[THIRD READING.]

Order of the Day for the Third Reading read.

Moved, "That the Bill be now read the third time."—(*The Lord Archbishop of Canterbury.*)

THE DUKE OF NORTHUMBERLAND: My Lords, before this Bill is passed I should like to call attention to one matter which has excited a feeling of anxiety on the part of antiquaries. One of the inconveniences of the prevailing method of legislating by reference is that it is extremely difficult for ordinary laymen to understand exactly the scope of a particular Bill. I am informed that under the Union of Benefices Act, 1860, a large number of churches in the metropolis have been pulled down and destroyed, and that by extending this Act to the whole of England you are putting it in the power of certain persons to pull down and destroy any parish church in any part of England. If that be the case I think it is a very grave power to give. The parish churches of England are absolutely unique from an historical point of view. And I cannot but think that if for certain reasons benefices are to be united there should be some machinery for handing over the disused churches to some responsible persons, either to the county council or to some other public body. I trust that if this Bill is taken up in another place this point will be attended to, and that we shall not be led by the vicious form of legislation by reference to sanction something which we otherwise would not permit.

THE LORD ARCHBISHOP OF CANTERBURY: My Lords, there are various cases in which it is important that the powers which have been exercised in the metropolis should be extended to other parts of the country. For instance, you have in the city of Exeter a considerable number of churches which are really of no use at all, the population of the parishes being so exceedingly small that they do not work as parishes ought to work. Moreover, the incomes have been so small that it is practically impossible to get anyone to remain for a considerable period. The removal of these churches would be in every respect a great gain, as the removal of similar churches has been a great gain in the metropolis. As I explained when this Bill was read a second time, the city of Norwich contains a great number of churches of precisely the same character, and there are many other cases throughout the country. The Bill has had the consent of the Convocation of Canterbury and of all the bishops of that Convocation, and it is a Bill which is very much needed in the interests of the Church.

On Question, agreed to. Bill read 3ª accordingly, and passed, and sent to the Commons.

QUEEN ANNE'S BOUNTY BOARD.

Moved, "That the Lords following be named of the Committee to join with a Committee of the House of Commons to consider the constitution of Queen Anne's Bounty Board, and to report whether economy and efficiency of administration

would be promoted by any change in its constitution or by its amalgamation with any other body, viz. :—

L. Privy Seal (*V. Cross*),
E. Aberdeen,
L. Bp. London,
L. Barnard,
L. Ashcombe.

That such Committee have power to agree with the Committee of the House of Commons in the appointment of a Chairman."—(*Earl Waldegrave.*)

*LORD STANLEY OF ALDERLEY: My Lords, I do not rise to object to the names of the Members proposed—they are as good a selection as I believe could have been made — but to ask Her Majesty's Government why there is to be this inquiry, and at whose instance it has been set on foot. There are most ill-omened words in this notice. It is proposed to inquire whether economy and efficiency of administration will be promoted by any change in the constitution of Queen Anne's Bounty Board or by its amalgamation with any other body. That can only mean amalgamation with the Ecclesiastical Commissioners, as nobody would think of the Charity Commissioners in this respect. I venture to think that those who have contributed money to Queen Anne's Bounty would not think it was equally safe with the Ecclesiastical Commissioners, and I hope the noble Marquess at the head of the Government will be able to allay their anxiety and dispel their fears on this subject. Why, I ask, is there to be this inquiry into the efficiency of the administration? I have been familiar with the administration of the Bounty for nearly thirty years, and can testify to the fact that the economy and efficiency of its administration have been much greater than the economy and efficiency of the administration of the Ecclesiastical Commissioners. The work of the Bounty has increased very much of late years, and large additions have been made to the sums invested in its name, but the expenses have not increased. Again, why is this inquiry to be made, just when the late secretary of Queen Anne's Bounty has departed this life? It is not suggested that an inquiry should be made into his administration; but why take advantage of the death of an efficient servant to make this attack on the Bounty? This question has been sprung upon the House and upon the public, and I heard nothing of it until I saw this motion on your Lordships' Paper.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): The noble Lord has mentioned me, and I will answer him, not from my own knowledge, but from information derived from high authority. I am told that Queen Anne's Bounty is a very remarkable corporation. It seems to have been the fashion in the last century in constituting these corporations to make them a numerous body of men, selected from those already overworked. Such was the idea then to secure efficient administration. I am told that Queen Anne's Bounty Board includes all the Bishops, all the deans —I am not sure whether all the Privy Councillors—["Yes."]—all the sheriffs, all the mayors, all the aldermen, and all Queen's counsel. Of course it is only by the exercise of a great deal of self-denial on the part of these gentlemen that business goes on. If all of them attended the meetings and took active part in proceedings, the transaction of business would be beset with difficulties. I am told, however, that they are not required to be summoned to attend, and the danger arising from their number is therefore diminished. It is only necessary to insert an advertisement in the *London Gazette*, and as that journal is not so widely read as its merits deserve, there is not a large attendance of all these Bishops, deans, aldermen, etc., and confusion is avoided. I understand that it has entered into the heads of some revolutionary persons that possibly this body might be amended. To explain the matter which is disturbing the mind of my noble friend, it was thought wiser to commence action at a time when no one had vested interest as secretary, so that an unnecessary demand should not be made upon the resources of the Church. That is all the explanation I have to give. I believe those composing the Committee are careful men, and will not prune these bishops, deans, aldermen, and other dignitaries without sufficient cause, but I think the House will admit that there is some case for legislation.

THE EARL OF HALSBURY: As one of the body to whom my noble friend has

referred, I may say that I have been a member of that body since 1865, and I can assure him that I have never once attended.

On Question, agreed to.

Ordered, That such Committee have power to agree with the Committee of the House of Commons in the appointment of a Chairman.

VETERINARY SURGEONS AMENDMENT BILL.

Brought from the Commons, read 1ª, and to be printed. (No. 164.)

SOUTH AFRICAN WAR—HOSPITAL AND MEDICAL ARRANGEMENTS—MR. BURDETT-COUTTS'S CHARGES—COMMITTEE OF INQUIRY.

THE EARL OF KIMBERLEY: Before the House adjourns I wish to ask the Secretary for War whether he can inform the House what has been decided as to the Committee which is to inquire into the question of medical appliances during the war in South Africa and the complaints of alleged negligence as to the treatment of the sick and wounded, especially those suffering from enteric fever, and what is likely to be the nature of the Committee which the Government have undertaken to appoint.

THE SECRETARY OF STATE FOR WAR (The Marquess of LANSDOWNE): The Committee or Commission—I am not quite sure which it will be—will be presided over by Lord Justice Romer, and I am sure I only have to mention his name in order to satisfy your Lordships that the inquiry will be conducted in a thoroughly judicial and dispassionate tone and spirit. With Lord Justice Romer we propose to associate two others. We think that to do its work with efficiency this body should be a small one. One of the two other gentlemen will represent the medical and the other the surgical profession. For the selection of a representative of the medical profession we determined to refer to the Royal College of Physicians, and we addressed ourselves to the distinguished gentleman who presides over that body, Dr. Church, and invoked his assistance. We asked him either to move the college to recommend a representative, or, if he was prepared to do so, to place his own services at our disposal. I am happy to say that he has chosen the latter alternative, and I do not think a more fortunate selection could be made. With regard to the surgeons, we should, in ordinary circumstances, have addressed ourselves in the same way to the Royal College of Surgeons. But your Lordships, or those of you who have paid attention to the question, are no doubt aware that the name of the distinguished President of the Royal College of Surgeons, Sir William MacCormac, has figured conspicuously in this controversy, and we felt it was hardly fair to ask him to recommend a representative of his college. We have selected a gentleman whose name is probably known to many of your Lordships, Professor Cunningham, Professor of Anatomy and Physiology in Dublin University. He is a man of most distinguished reputation. He holds degrees of the University of Edinburgh, at which he has held high office, and he now occupies a high office in the University of Dublin. These are the three members of the Committee. The reference (I am quoting from memory) runs in these words:—"To report as to the arrangements for the care and treatment of the sick and wounded during the campaign in South Africa." My lords, I will only add to what I have already said that I have sometimes seen it stated that it was our intention to appoint a Departmental Committee. No such intention was ever entertained, as far as I am aware, by any member of Her Majesty's Government.

House adjourned at Twenty-five minutes before Seven of the clock, till To-morrow, a quarter past Four of the clock.

HOUSE OF COMMONS.

Thursday, 5th July, 1900.

SPALDING URBAN DISTRICT COUNCIL (WATER) BILL. (BY ORDER.)

Lords Amendments considered.

Amendments as far as the Amendment in page 6, line 21, agreed to.

Page 6, line 21, to leave out from "1889," to the end of Clause 9, the next Amendment, read a second time.

Motion made, and Question proposed, "That this House doth agree with the Lords in the said Amendment."—(*Mr. Caldwell.*)

SIR ALBERT ROLLIT (Islington, S.) said he desired to bring before the House what threatened to be a great personal grievance and injustice to two of the employees of the company which this Bill absorbed. The circumstances were that for the last forty years Mr. Stimson had been the engineer to the company, and had largely assisted to bring it up to its present condition. He left the Great Northern Railway Company to join this company. If he had kept to the old company he would have been in receipt of a pension of some £70 a year. In this House the promoters of the Bill themselves inserted a proviso that any employee of the old company taken over by the Bill who had been ten years in the service of the Water Company should be entitled to compensation, the amount of which should be fixed by an assessor appointed by the Board of Trade. He thought the feeling of the House would be that an employee of forty years not only came within the strict letter of the clause inserted by the promoters themselves, but that the clause was the policy and practice of Parliament, and it was a right and just clause. How was a man sixty-two years of age to make a new departure in his employment? He would have an equitable claim, the strongest possible claim, on his old employers, but he would have no such claim on the new authority established by the Bill. The principle for which he was contending had been admitted by the promoters themselves, inasmuch as they had come to an agreement with the secretary to give him £500 compensation, although he was only receiving a salary of £30 a year and some legal fees. Having disarmed opposition in the House of Commons by inserting the clause, the promoters, when the Bill reached another place, without any of the parties being communicated with, caused the clause to be struck out. And yet in the circular they had issued to hon. Members they positively complained that the engineer and collector had allowed this to be done without petition. The promoters' answer to his opposition now was that the services of these two employees were to be taken over. That might have been all right centuries ago when people were, like goods and chattels, or like live stock, to be transferred with an estate. But surely those he represented had some title to being consulted before they were thus treated after their long years of service. They naturally objected to this treatment, and they pointed out that the promoters had already conceded the principle of compensation in the case of the secretary, as well as by themselves inserting in the Bill the clause which had subsequently been struck out in the Lords. He believed that the Chairman of Committees had been appealed to in regard to the matter, and, with that regard for right and justice which he had always shown, he had gone into the facts and had suggested that the parties should agree amicably to an arrangement which he believed to be fair and proper. Now, he (Sir Albert) did not presume to express any opinion upon the figures arrived at by the right hon. Gentleman. But he did venture to suggest that the promoters, having conceded the principle of compensation by themselves inserting a clause providing that it should be assessed by an arbitrator, it was only fair and proper that they should be held to it. He was sure the House would not allow a single employee to be taken out from the general body and placed completely in the cold. The gentlemen whom he represented declined to enter the service of the new authority. They asked that the promoters should be bound by their own clause, and that the provision that the amount of compensation due to them should be assessed by an arbitrator should be re-inserted in the Bill.

MR. RECKITT (Lincolnshire, Brigg) supported the hon. Member for South Islington in his effort to secure the re-insertion in the Bill of the clause which would secure compensation for the collector and engineer. It was a usual proceeding to insert such a clause, and he remembered that a Bill was passed a year ago in which an urban district council agreed to purchase some gasworks, and in that Bill there was a clause providing that, in the case of any officer or servant who had been in the service of the company twelve years or upwards, they should, if they declined to continue in their posts, have a right to compensation. Now, the present Bill simply provided that these two men should be taken over with the undertaking. But was it not

rather hard on a man sixty-two years of age that he should be expected to begin life afresh in the service of the district council? Was it not quite possible that at the end of seven or eight years he would have to give up his position, and then he would have no claim for consideration at the hands of the council? It was only right that the House should safeguard his interests, and see that he was properly treated, either by the company who were selling the undertaking or by the authority who were purchasing it. He would like to point out that there was a clause in the Bill providing that, in the event of the urban district council and the water company being unable to agree as to the price to be paid for the undertaking, the dispute should be submitted to arbitration. Surely the right of the officials of the company to compensation formed one of those considerations which should go to determine the total price to be paid by the urban authority. The question the House had to decide was whether these two servants of the water company were to receive any compensation. They were perfectly satisfied with the Bill as it was originally laid on the Table of the House. The promoters now suggested that no petition against the Bill had been presented by these gentlemen. In taking up that attitude he did not think they were acting squarely towards the House. It was well known that heavy costs were entailed upon individuals who had to appear by counsel before a Parliamentary Committee in order to protect their interests in a Bill of that character. The tax was sufficiently severe in the case of wealthy people, and how could persons like an engineer or a rate-collector be expected to bear it? They ought not to be put to unnecessary hardship and expense, and he submitted, therefore, that it was only fair that the Bill should be restored to the form in which it passed the House of Commons—a form which sufficiently protected the interests of these two people.

MR. POLLOCK (Lincolnshire, Spalding) said he wished to point out that the Bill provided that the urban authority should take over these two gentlemen with the undertaking, and they would receive the same salary as they had hitherto received from the company. He thought that that sufficiently protected their interests, and he would be very sorry indeed if, in consequence of the opposition now being offered, the passing of the Bill was delayed. There was no reason whatever why either of the two officials should refuse to be transferred.

MR. GIBSON BOWLES (Lynn Regis): Will the Chairman of Committees give the House the advantage of his advice? It seems to me very strange indeed that a clause passed by the House of Commons should have thus been struck out in the House of Lords.

*THE CHAIRMAN OF COMMITTEES (Mr. J. W. LOWTHER, Cumberland, Penrith): I shall be very glad indeed if I can assist the House in coming to a decision on this matter. The facts are quite clear, and I think they have been adequately brought out. The position of these two gentlemen, I admit, is one which deserves consideration; but I doubt very much, notwithstanding what has fallen from the hon. Member for South Islington, whether this engineer has any right to receive any compensation at all from the present company in whose service he has been so long. So far as I can ascertain he would have no legal right whatever to compensation if the company were to dismiss him forthwith, assuming, of course, that the dismissal was a proper one. That being so the question arises, have these gentlemen any greater right against the council which has taken over the undertaking than they have against the company itself? I came to the conclusion, after hearing the arguments on both sides, that they had no legal right to compensation at all, but that in one respect they were put in a worse position under the Bill under their new masters than they would have been under their old masters, for it is pretty certain that a company which benefited by their services for so many years would never let them leave without some solatium or some pension, even although they might not be legally entitled to it. But the district council have undertaken to continue to employ them. Their case differs from that of the secretary of the company whose office has been abolished, and who consequently was entitled to compensation. When the parties were before me I suggested that a compromise might be arrived at, and, having been informed of the wages these two men were receiving, I made a

certain proposal to counsel in the case. I suggested, in fact, that an amicable settlement might be arrived at by the payment of a sum of £350 to these officials. I understood that the council was prepared to agree to that, but, unfortunately, the individuals in question have taken a higher view of their rights, and they are asking the House to give them full compensation in respect of their services, compensation to be paid, not by the company to whom those services were rendered, but by the ratepayers who are taking over the business of the company. I regret extremely that my suggestion has not been accepted. I believe it would have been judicious on the part of these gentlemen to have accepted it, and under the circumstances I would suggest that the House do agree with the Lords Amendment, striking out the compensation clause. In the notice of the original Bill there was nothing whatever about such a clause, and it seems to have been inserted in the Bill through an error of the draughtsman and contrary to the instructions of the district council. It was not until the Bill had passed through the House of Commons that the council discovered that the clause had been inserted, and they at once applied to the other House to have it struck out. That is the position of matters now. I believe that under the Local Government Act of 1888, as well as the Act of 1894, general principles are laid down for dealing with these matters, and it is provided that where a servant is continued in his employment by a county council on taking over the undertaking he is not entitled to receive compensation in respect of past services, but that where his services are brought to an end through his office being abolished he is entitled to compensation. If we follow that principle in this case we must agree to the Lords Amendments, and the result will be that we shall leave these gentlemen in the employ of their new masters, and they will not be left stranded after many years service.

SIR HENRY FOWLER (Wolverhampton, W.): I am absolutely ignorant of the facts of this case, but I think it is one in which, to some extent, the character of the House of Commons for justice and fairness is involved. It is our duty, as far as possible, to protect those who cannot protect themselves. I quite agree with the statement of the right hon. Gentleman as to the general principle which has been laid down for the guidance of this House in dealing with these matters. In the Bill as it passed through this House, a clause was inserted protecting the interests of these two gentlemen. If it was wrongly inserted it was the business of the promoters to have found it out and to have applied to get it struck out by this House. But they did nothing of the kind until the Bill reached another place, and now we naturally have representations made of the injustice which it is alleged is being done to these two officials by the striking out of the clause without notice to them and without their having had any opportunity of opposing such a proceeding. We are now asked to agree to the Lords Amendment and to leave a servant of forty years standing at the mercy of new employers, who, of course, will not look upon him very amicably, having regard to the attitude he has taken up here. He will be liable to be dismissed at three months notice. I do not think the House of Commons should part with a Bill which inflicts an injustice of that sort, and I would therefore suggest that the debate should be postponed, so that the parties may have another opportunity of going before the Chairman of Committees in order to endeavour to arrive at a settlement. Whatever these gentleman are entitled to, let them have it secured to them by Act of Parliament. Do not allow the clause which protects them to be struck out, and thereby leave them at the mercy of people whom they have been fighting in this House. I beg to move that this debate be now adjourned.

Motion made, and Question proposed, "That the debate be now adjourned."—(*Sir Henry Fowler.*)

MR. J. W. LOWTHER: I have no objection to the course proposed by the right hon. Gentleman. I can assure him that during the last fortnight I have done my best to bring these parties together. I shall be very glad indeed if a settlement can be arrived at, even if the terms I have suggested are not strictly adhered to. The adjournment at any rate will afford the parties an opportunity of reconsidering the matter, and I trust that, as a result, an amicable settlement may be arrived at, although I confess I have

no very great hope of it. I am afraid the House will be troubled again with it.

Question put, and agreed to.

Debate to be resumed upon Thursday next.

LONDON COUNTY TRAMWAYS (No. 1) BILL. (BY ORDER.)

Order for consideration, as amended, read.

Motion made, and Question proposed, "That the Bill, as amended, be now considered."

*MR. KIMBER (Wandsworth): I rise to move the re-committal of this Bill, and I will state, as shortly as I can, the reasons why I am asking the House to revise the decision of the Committee. The point I have to raise is one in regard to which I submit a decision should not have been come to by a Committee, but which should have been determined by the House itself on the motion for the Second Reading. It is one of essential importance and great public interest, and it affects the pockets of Her Majesty's subjects to a very considerable extent. I am sure, therefore, that, in taking this step, I shall have with me the sympathy of Members of this House. The London County Council have brought two Bills before this House. One of them has already been sent to another place and is under consideration by a Lords Committee, The other—the one with which we are now dealing—has been passed by a Committee of this House, and I am not going to impugn any conclusion at which the Committee arrived on the merits of the Bill. The parties for whom I am concerned — the local authority for the borough of Wandsworth—have a *locus standi* by law, and have a right under an Act of Parliament to put a veto upon the measure which the County Council have brought before the House. Without saying whether it is reasonable or not that that veto should be continued I have a right to say, and I think it will be admitted, that they have a *locus standi* to be heard whether or not, and on what terms, that veto should be taken away or modified. I consider that is a fair question for discussion. The London County Council are now recognised as the proper authority for working tramways in London. Their trams necessarily run through the districts of many authorities. But they have not yet been made, nor are they likely to be made by statute, the road authority. The District Board of Works in Wandsworth is the road authority for that part of London, and the question is whether that Board of Works shall continue to have its veto with regard to interference with the roads for the maintenance of which it is responsible. What I have now to submit is that these authorities ought not to be put to the expense thrown directly upon them of appearing twice over, both in this House and the other, upon two Bills introduced for the same purpose. They have already had to contest one of the Bills in this House, and they are now contesting in the other House No. 2 Bill, and if the House does not listen to my appeal they will also have to enter an appearance in the House of Lords on No. 1 Bill, on precisely the same grounds as they had to in the case of No. 2 Bill. I need not trouble the House with the *literatim et verbatim* of the Bill, but I will just refer very shortly to the evidence given by three witnesses of the most undoubted authority as to whether these two Bills do not cover the same matter. Mr. Benn, formerly a Member of this House, and Chairman of the Tramway Committee of the London County Council, said that there was no doubt that if No. 2 Bill was carried, the powers sought for under No. 1 Bill would be unnecessary, so far as the case of construction was concerned. Mr. Kennedy was asked whether there was anything in connection with the Westminster and Tooting line—which is the line to which this Bill refers—which could not be done under the other Bill which could be done under this, and he said no. Mr. Cripps also gave similar evidence. Those admissions are sufficient for my present purpose, and I submit to the House that if the local authorities are subjected to the ordeal of appearing upon their *locus standi* twice in both Houses, it will be a most scandalous waste of public money. The London County Council are also using the ratepayers' money, and for the ratepayers to have to bear the expense of both sides, the promoters and the opponents, is an injustice against which, I think, this House will extend its protection. Then it is said, "Why do you not put down Amendments to this Bill which cover those powers which are contained in the

other Bill?" The answer is, because the matter is highly technical. One Bill is to give authority to the London County Council to apply electric traction to all the tramways that it now possesses or may hereafter acquire, and the other is for powers to construct and reconstruct and open roads, and other matters, all of which could be done under the other Bill. We have a right to be heard, and the local authorities have been advised that upon this point they have a good case both in this House and the other, if not to throw out the Bill in accordance with their desire, at least that proper and reasonable conditions should be made, upon which they ought to have the right of veto, if necessary. That is the point which I have to put before the House. I should, perhaps, say one more word upon the subject of amending this Bill in this House. Although there are only two clauses which mention specifically, by name, this particular line, if those clauses were amended as general clauses you could not very well tamper with them without considering whether the other clauses of the Bill would not also have to be amended by consequential Amendments; and to have to go all through this Bill and study it, and bring in a lot of mere verbal, technical Amendments, would not only weary the House, but, in my opinion, it would be a manifest and unnecessary waste of the time of the House. If the House assents to the suggestion that the money of the ratepayers should not be wasted in opposing two Bills when one is sufficient, and where the people are prepared to accept the decision of any Committee—on that question the Parliamentary agents of the local authorities and the London County Council would simply have to meet and settle the principle, and they would not be in the Committee Room twenty minutes, whereas if the details are discussed in this House it might take several hours. It may be thought that I should have approached the parties and tried to arrange this matter without troubling the House at all, but I have sought the intervention of the House, which, I believe, sympathises with us in our difficulty. It has been suggested by the local authorities that the two Bills might be submitted to one Committee of the House of Lords, and I undertake, on behalf of those whom I represent, to be satisfied with one decision, and why the London County Council should want to go before two Committees I do not know, unless it be that if they happen to be beaten on the one Bill they think they may succeed on the other. But I think under the circumstances the House will stand between them and the ratepayers' money being squandered in this way, and in that belief I beg to move that the Bill be recommitted to the former Committee on the Bill, and if this motion is carried, I shall move an Instruction to the Committee to leave out such provisions of the Bill as are included in the London Tramways (No. 2) Bill, passed on 30th April.

*MR. THORNTON (Clapham), in seconding the motion of the hon. Member for Wandsworth, said that he had no desire in any way to thwart the London County Council in their efforts to acquire tramways, and to show his *bona fides* he might state that it was his earnest desire to see the tramway system in that part of Clapham and Battersea, which he represented, extended and put forward immediately. The position which he took up was identical with that of the hon. Member for Wandsworth: that two Bills dealing with the same subject, having the same object in view, were unnecessary. One Bill (No. 2) had already passed the House, and they were now confronted with another (No. 1) which proposed to deal with exactly the same subject. The Wandsworth District Board had opposed that Bill, and was now opposing it in the House of Lords. In asking that the Bill be recommitted, he desired it to be distinctly understood that their action was not due to any hostility towards the tramways. He had had, by the merest chance, placed in his hands that day the case for the London County Council, and he saw nothing to object therein until he came to the statement that "if this motion for recommittal be carried the Bill must be lost." He denied that averment, because it was competent for the Parliamentary agents of both sides to put their heads together and arrive at a decision whereby the two Bills might be sent to a Committee of the House of Lords. There was a principle involved in the matter. The House could not desire to set a precedent whereby not two Bills dealing with the same subject could be brought before them but four or five, because if two why not more. He thought that if the London County Council would meet the local

authorities half way in the matter they would be doing a just, if not a generous thing.

Amendment proposed—

"To leave out from the word 'Bill,' to the end of the Question, and add the words 'be recommitted to the former Committee on the Bill,' instead thereof."—(*Mr. Kimber.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. STUART (Shoreditch, Hoxton): Both the hon. Gentlemen who have spoken in support of this motion have signified their general approval of the measure before the House, and the hon. Gentleman who last addressed the House denied that if it were recommitted it would be lost. But anybody who is acquainted with the forms of this House knows perfectly well that if this Bill were referred back for reconsideration to-day it could not be carried into law this year. There can be no doubt about that, and I leave it to private Members acquainted with the procedure of this House to confirm the truth of what I say. It is extremely difficult to see what the complaint of the two hon. Gentlemen amounts to. They say they are complaining because certain clauses in this Bill exist in the Bill called No. 2 Bill, which has already passed this House, and which is for a totally different purpose. The two Bills are quite distinct, and there is nothing more common than for two different and distinct Bills to be introduced in this House with similar clauses. No. 2 Bill received most careful consideration from the Committee presided over by the hon. Member for Norwich. The Bill referred entirely to the point as to how electric traction shall be fitted to the existing tramways which the London County Council now possesses. It does not sanction the construction of any new lines or propose to sanction them. Now we come to the question of electric traction on these tramways. As regards the first Bill, which affects a large number of local authorities, the County Council consulted no fewer than forty local authorities in London, and a large amount of interchange of opinion has taken place between them with the view of getting some workable scheme of electric traction. It is the case that under the scheme which has passed this House the County Council is to make an application, and the Board of Trade is to decide, but not until it has heard the local authorities. That has been agreed to by the County Council and the local authorities, with the exception of the local authorities now objecting to this Bill. Exactly the same clauses with regard to the methods of electric traction which have passed the House in the Bill already sent up to the Lords are placed in this Bill. If in this Bill you do not pass these same clauses you will have this peculiar state of things. You will have the existing tramways as far as electric traction is concerned governed by a certain law, and you will have interposing pieces of new tramways excluded from that law, and therefore you will bar the whole development of the electric system in London. That is simply the position. The hon. Gentleman proposes that something should be done in the House of Lords about our sending this to the same Committee. The hon. Gentleman ought to be as well acquainted as I am with the fact that this is not the place where the procedure of the House of Lords can be determined. We have made a statement, which is in the hon. Gentleman's hands, which practically covers the ground of the whole opposition. It has been arranged by the County Council and the local authorities that whatever Amendments, if any, in respect of electric traction are made in the House of Lords in No. 2 Bill as regards the existing lines shall also be extended and made applicable to the new works under No. 1 Bill. It is obviously our interest and our desire to have the clauses identical both for the old tramways and the new. There are not two hearings called for in this matter. Two hearings have been asked by the hon. Gentleman and those whom he is representing for the moment in this place. Both Committees have most wisely passed these clauses and sent them to this House. I trust that the House will send the clauses to the House of Lords in both Bills. The House of Lords can reject or pass them as it pleases.

MR. JOHN BURNS (Battersea): As representing a district through which these two tramways run, I wish to dissociate myself from the motion of the hon. Member for Wandsworth, which was supported by the hon. Member for Clapham. I hope to give the House one or two reasons why they

should not deprive London for another year of the electric traction which two Committees of the House have said the London County Council ought to have. In saying this I think it is necessary to give a fact or two. The London County Council have in operation one or two tramways drawn by horses on the south side of London. That is obviously an inadequate system, and not at all up to the requirements of the housing problem, and it is not in keeping with the accommodation which the people require in the way of rapid transit. The County Council introduced two tramway Bills—one to substitute electric traction for horses, and the other to extend the existing tramways and to make new ones. In promoting these Bills the County Council has wisely and considerately approached forty London local authorities, and got their views as to road material, road maintenance, and the minor improvements necessary to carry out a good system of electric traction, and I am sorry to think that of all the forty authorities the only obdurate ones were Wandsworth and Clapham. Encouraged by that obstinacy, my own parish got off the right lines and was for a moment disposed to do the wrong thing, but after being confronted with the fact that its opposition would lead to the whole five millions of London being deprived of electric traction for another year, like the sensible district it is it recovered itself, it pulled itself together, and declined to associate itself with Wandsworth, which has alternately played the *role* of Dr. Jekyll to-day and Mr. Hyde to-morrow. The request put forward by Battersea was this : that where the London County Council tramways went through the parish the County Council should be called upon to put a good electric current down and also to lay the road between the rails and a verge of eighteen inches on each side. The authorities now opposing the Bill went further than that, and asked that the whole length of the road should be paved with material to be determined not by the traction authority and the Board of Trade, but by the vestry. The result of such an unreasonable demand is that only the vestry is to get the veto, and the County Council is to pay for the whole of the road material along the tramway route. If Wandsworth and Clapham succeed to-day the veto of the vestries of London will be maintained, and the traction authority will be blackmailed into the cost of the road and street improvements and the paving of the tramway routes which ought properly to be borne partly by the local authorities. The local authorities ought to pay for their own roads, and not ask the metropolitan ratepayers to bear the cost of keeping up their main roads and streets. That is a condition of things the House of Commons ought not to tolerate. Two Committees have listened to the complaints of Wandsworth and Clapham, and these Committees have declared that there is not much in them. I trust that we shall give the County Council the powers they ask, and that we shall not allow the respectable vestries of Wandsworth and Clapham to stand in the way. In representing their views they had no need to employ counsel, and in paying for that they are responsible for every penny they had needlessly spent. The Council has given Wandsworth Vestry power to vote whether it should be a conduit or overhead system. The Council is going to have the conduit system. The Council has been so reasonable that thirty-eight out of forty have agreed with the Council view, and it is because the two hon. Gentlemen represent, unfortunately, the two obstinate districts that I have dissolved partnership with them, and that I appeal to the House of Commons not to listen to their appeals to-day, and to give to the County Council the power which they ought to have to introduce a system of cheap and speedy electric traction.

*MR. HOLLAND (Yorkshire, W.R., Rotherham) : I happened to be chairman of the Committee which considered this Bill. I did not understand that the hon. Member for Wandsworth wished to impugn the decision of that Committee.

MR. KIMBER : Not at all.

*MR. HOLLAND : That being so, I beg to assure the hon. Member that the Committee, after hearing all the arguments *pro* and *con.*, decided not to exclude these particular clauses from the measure. I have a further objection to the proposal now before the House. It is proposed that the Bill should be recommitted to the same Committee. As chairman of that Committee, and in the

name also of my colleagues on that Committee, I may say that we should object to this particular measure being committed to us again, because we have heard all the arguments already, and we know exactly what the decision would be. Therefore it would be a waste of time to send it back to that Committee. I wish to say, in conclusion, that this Bill, and also Bill No. 2, are the outcome of a Herculean amount of negotiation between the London County Council and the different local authorities; and it would indeed, in my view, be a grievous thing if that enormous amount of effort were to be brought to nought by the passing of this Resolution to-day, because the effect of that would be to destroy the Bill.

*Mr. PURVIS (Peterborough): I wish to say ditto to what has been stated by the hon. Member for Rotherham. There has been nothing new brought before us this afternoon. Everything has been considered most carefully, eminent counsel having brought out every point with equal clearness, and in every possible way. I hope the House will not delay the passing of the measure by recommitting it.

Mr. KIMBER: After what has been said by the Chairman of the Committee upon this point I do not think I will press this to a division. I beg to ask leave to withdraw the motion.

Amendment, by leave, withdrawn.

Main Question put, and agreed to.

Bill, as amended, considered.

Ordered, That Standing Orders 223 and 243 be suspended, and that the Bill be now read the third time.—(*Mr. Caldwell.*)

Prince of Wales' consent signified.

Bill read the third time, and passed.

TAUNTON CORPORATION BILL (BY ORDER).

Ordered, That in the case of the Taunton Corporation Bill Standing Order 243 be suspended, and that the Bill be now read the third time."—(*Mr. Caldwell.*)

Bill accordingly read the third time, and passed.

Mr. Holland.

PRIVATE BILLS [Lords] (STANDING ORDERS NOT PREVIOUSLY INQUIRED INTO COMPLIED WITH).

Mr. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That in the case of the following Bill, originating in the Lords, and referred on the First Reading thereof, the Standing Orders not previously inquired into, and which are applicable thereto, have been complied with, viz.:—

Glasgow District Tramways Bill [Lords].

Ordered, That the Bill be read a second time.

PROVISIONAL ORDER BILLS [Lords] (STANDING ORDERS APPLICABLE THERETO COMPLIED WITH).

Mr. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bill, originating in the Lords, and referred on the First Reading thereof, the Standing Orders which are applicable thereto have been complied with, viz.:—

Water Orders Confirmation Bill [Lords].

Ordered, That the Bill be read a second time to-morrow.

PRIVATE BILLS [Lords] (STANDING ORDERS NOT PREVIOUSLY INQUIRED INTO NOT COMPLIED WITH).

Mr. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bill, originating in the Lords, and referred on the First Reading thereof, the Standing Orders not previously inquired into, and which are applicable thereto, have not been complied with, viz.:—

South Eastern and London, Chatham, and Dover Railways Bill [Lords].

Ordered, That the Report be referred to the Select Committee on Standing Orders.

NORTH WARWICKSHIRE WATER BILL.

WIDNES AND RUNCORN BRIDGE BILL.

Lords Amendments considered, and agreed to.

LINCOLN CORPORATION (TRAMWAYS) BILL [Lords].

Read the third time, and passed, with Amendments.

SHEFFIELD DISTRICT RAILWAY BILL [Lords].

Read the third time, and passed, with Amendments.

CORK ELECTRIC TRAMWAYS BILL [Lords].

As amended, considered; to be read the third time.

RAILWAY BILLS (GROUP 8).

Sir LEWIS MCIVER reported from the Committee on Group 8 of Railway Bills, That the parties promoting the Motherwell and Bellshill Railway Bill [Lords] had stated that the evidence of Alexander Findlay, justice of the peace, Parkneuk Ironworks, Motherwell, was essential to their case; and it having been proved that his attendance could not be procured without the intervention of the House, he had been instructed to move that the said Alexander Findlay do attend the said Committee To-morrow, at half-past Eleven of the clock.

Ordered, That Alexander Findlay, J.P., do attend the Committee on Group 8 of Railway Bills To-morrow, at half-past Eleven of the clock.

RAILWAY BILLS (GROUP 8).

Sir LEWIS MCIVER reported from the Committee on Group 8 of Railway Bills, That the parties opposing the Motherwell and Bellshill Railway Bill had stated that the evidence of James Dunlop, engineer, Motherwell, Robert Park, builder, Motherwell, and Archibald King, works manager, Motherwell, was essential to their case; and, it having been proved that their attendance could not be procured without the intervention of the House, he had been instructed to move that the said James Dunlop, Robert Park, and Archibald King do attend the said Committee To-morrow, at half-past Eleven of the clock.

Ordered, That James Dunlop, Robert Park, and Archibald King do attend the Committee on Group 8 of Railway Bills To-morrow, at half-past Eleven of the clock.

RAILWAY BILLS (GROUP 8).

Sir LEWIS MCIVER reported from the Committee on Group 8 of Railway Bills, That Mr. Samuel Woods, one of the Members of the said Committee, was not present during the sitting of the Committee this day.

Ordered, That Mr. Samuel Woods do attend Group 8 of Railway Bills To-morrow, at half-past Eleven of the clock.

Report to lie upon the Table.

PRIVATE BILLS (GROUP D).

MR. A. HARGREAVES BROWN reported from the Committee on Group D of Private Bills, That, for the convenience of parties, they had adjourned till Monday next, at Twelve of the clock.

Report to lie upon the Table.

PRIVATE BILLS (GROUP J).

Colonel GUNTER reported from the Committee on Group J of Private Bills, That, to meet the convenience of the parties, the Committee had adjourned till Monday next, at half-past Eleven of the clock.

Report to lie upon the Table.

SOUTHPORT CORPORATION BILL.

Reported from the Select Committee on Police and Sanitary Regulations Bills (Section B), with Amendments; Report to lie upon the Table, and to be printed.

MESSAGE FROM THE LORDS.

That they have agreed to—British Gas Light Company (Staffordshire Potteries) Bill, without amendment.

That they have agreed to—Latimer Road and Acton Railway Bill, with an Amendment.

That they have agreed to Amendments to—Glasgow and South Western Railway Bill [Lords], South Eastern Railway Bill [Lords], without amendment.

That they have passed a Bill intituled, "An Act to incorporate a company and authorise them to acquire the Workington Harbour and Lonsdale Dock undertaking, in the county of Cumberland, and to construct a dock, railways, and works at Workington; and for other purposes." Workington Railways and Docks Bill [Lords].

WORKINGTON RAILWAYS AND DOCKS BILL [Lords].

Read the first time; and referred to the Examiners of Petitions for Private Bills.

PETITIONS.

LICENSING (SALE OF INTOXICATING LIQUORS).

Petition from Haverfordwest, for alteration of Law; to lie upon the Table.

SALE OF INTOXICATING LIQUORS TO CHILDREN (No. 2) BILL.

Petitions in favour, from Danesmoor, and Briercliffe; to lie upon the Table.

SUNDAY CLOSING (MONMOUTHSHIRE) BILL.

Petitions in favour, from Turvey; Danesmoor; and Bedford; to lie upon the Table.

RETURNS, REPORTS, ETC.

LOCAL TAXATION LICENCES, 1899–1900.

Return presented, relative thereto [ordered 15th June; *Mr. T. W. Russell*]; to lie upon the Table, and to be printed. [No. 254.]

LIGHT RAILWAYS ACT, 1896.

Copy presented, of Order made by the Light Railway Commissioners, and modified and confirmed by the Board of Trade, authorising the construction of Light Railways in the county of Somerset, between Highbridge, Wedmore, and Cheddar (Highbridge, Wedmore, and Cheddar Light Railway Order, 1900) [by Command]; to lie upon the Table.

MARINE ENGINEERS.

Return presented, relative thereto [ordered 25th May; *Sir Fortescue Flannery*]; to lie upon the Table, and to be printed. [No. 255.]

ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 7) BILL.

Return presented, relative thereto [ordered 4th July; *Mr. Ritchie*]; to lie upon the Table, and to be printed. [No. 256.]

SEA FISHERIES ACT, 1868.

Copy presented, of Report of the Board of Trade under Part III. of the Act. Orders for Fishery Grants, 1899–1900 [by Act]; to lie upon the Table, and to be printed. [No. 257.]

IRISH LAND COMMISSION.

Return presented, relative thereto [ordered 18th May; *Mr. Patrick O'Brien*]; to lie upon the Table, and to be printed. [No. 258.]

ARMY SPECIAL PENSIONS.

Copy presented, of Return for the year ended 31st March, 1900, of Pensions specially granted under Articles 730, 1170, and 1207 of the Army Pay Warrant [by Command]; to lie upon the Table.

SOUTH AFRICA (UNWOUNDED SOLDIERS DEAD OR INVALIDED HOME).

Return presented, relative thereto [Address 18th May; *Mr. Thomas Bayley*]; to lie upon the Table.

TRAMWAYS ORDERS CONFIRMATION (No. 1) BILL.

Copy ordered, "of Memorandum stating the nature of the Proposals contained in the Provisional Orders included in the Tramways Orders Confirmation (No. 1) Bill."—(*Mr. Ritchie.*)

PROBATION OF FIRST OFFENDERS.

Address for "Return of the number of Cases within the Metropolitan Police District, the West Riding of Yorkshire, Lancashire, Staffordshire, Warwickshire, and Durham in which persons convicted of first offences have by reason of their youth or the trivial nature of the offence been released under recognizances on probation of good conduct in the years 1897, 1898, and 1899, under the Probation of First Offenders Act, 1887; and of the number of Cases in which such persons have been called upon to appear to receive judgment, or are known to have been subsequently convicted of a fresh offence (in continuation of Parliamentary Paper No. 277, of Session 1897)."—(*Sir Howard Vincent.*)

QUESTIONS.

CHINA—ANTI-FOREIGN OUTBREAK—THE ATTACK ON THE TA-KU FORTS.

MR. DILLON (Mayo, E.): I beg to ask the Under Secretary of State for Foreign Affairs whether he has any information to the effect that Admiral Kempff opposed the policy of attacking the Ta-ku forts on the ground that by this attack the Chinese Regulars would be forced

into an alliance with the Boxers; and what is the position at present of the American forces.

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (MR. BRODRICK, Surrey, Guildford): We have no such information. Our admiral telegraphed that all the allied admirals at Ta-ku were working in perfect accord. The position of the American forces is doubtless the same as that of the other allied Powers.

RECENT NEWS—THE POSITION AT PEKING.

SIR H. CAMPBELL-BANNERMAN (Stirling Burghs): Will the right hon. Gentleman the Under Secretary for Foreign Affairs say whether he has any news from China?

*MR. BRODRICK: We have no later news from Peking than that already communicated, and we have no confirmation of the report which has appeared to-day as to the massacre of Europeans in Peking. In the opinion of the Commanders an increase of force is required before an advance can take place. With respect to this we are hourly expecting a reply from the Japanese Government to our communications. Her Majesty's Government have intimated to the Chinese Minister that the authorities at Peking will be held to be personally guilty if the members of the European Legations and other foreigners in Peking suffer injury. The Chinese Minister has been requested to communicate this message in such manner as will ensure its reaching the authorities at Peking, and it will be made known to the Viceroys throughout China.

*SIR J. COLOMB (Great Yarmouth): Is the right hon. Gentleman in a position to give the House any information as to the strength of the guards, the stores, food, and ammunition at the Legation in Peking?

*MR. BRODRICK: No.

OFFICIAL RELATIONS WITH CHINA.

MR. MACLEAN (Cardiff): I beg to ask the Under Secretary of State for Foreign Affairs whether this country is now at war with the Chinese Empire, and whether any attacks were made upon the Foreign Legations at Peking before Admiral Seymour began his hostile march upon that city.

*MR. BRODRICK: It is doubtful whether there is any organised Government in China with which this country could consider itself at war. The first attacks on the staffs of the Legations were made on June 9th and 10th. The summer quarters of the British Legation outside Peking were destroyed on June 10th. The advance on Peking on June 10th was made at the instance of the Ministers at Peking.

SOUTH AFRICAN WAR — HOSPITAL AND MEDICAL ARRANGEMENTS—MR. BURDETT-COUTTS'S CHARGES—COMMITTEE OF INQUIRY.

SIR H. CAMPBELL-BANNERMAN: I beg to ask the First Lord of the Treasury when he will be able to inform the House as to the constitution and terms of reference of the proposed Committee which is to proceed to South Africa and inquire into the arrangements for treating the sick and wounded.

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): We have anxiously considered how Lord Roberts's request for an impartial Commission can be best fulfilled, and we have laid down one or two principles. The first is that it shall be a very small Commission. We propose to appoint a Commission of not more than three persons. We think that the medical profession should be represented on that Commission, and we have consulted the President of the College of Physicians, and asked him to either serve himself or recommend some person who should serve. I am glad to say that Dr. Church has himself consented to serve, and I think that that appointment will meet with universal approval in all quarters. We should have been glad in a similar way to consult the Royal College of Surgeons with a view of having a gentleman appointed from the surgical branch of the profession, but we felt that it would be rather hard, and would put Sir William MacCormac in a difficult position, because he has been made the subject of criticism by, I think, the hon. Gentleman the Member for Westminster and other persons in connection with South Africa, and under those circumstances we did not think it would be fair to him to make the same point of consulting him as of consulting the President of the Royal College of Physicians. We

have, however, found a gentleman who, we think, will command universal respect and confidence. It is Professor Daniel John Cunningham, professor of anatomy and physiology in Trinity College, Dublin. He is an authority well known to many gentlemen in this House, and I believe all who do know him—I have not that personal honour—will agree that he is fitted to carry out the difficult and delicate duties which are entrusted to him. The third member of the Commission we think should be a layman and should not belong to the medical profession. We have been fortunate enough to secure the services of a man who I think will command universal confidence in the person of Lord Justice Romer, who has consented to serve. These three gentlemen will form, I believe, as strong, able, and impartial a Commission as could deal with this difficult matter.

SIR. H. CAMPBELL-BANNERMAN: What are the terms of the reference?

MR. A. J. BALFOUR: To report on the arrangements for the care and treatment of the sick and wounded during the South African campaign.

MR. LAWSON WALTON (Leeds, S.): May I ask the right hon. Gentleman whether he has made any preparation for the discharge of Lord Justice Romer's judicial duties?

MR. A. J. BALFOUR: Before Lord Justice Romer accepted the Lord Chancellor had to be consulted. The responsibility rests with him. I have no doubt that arrangements for that purpose will be made.

*MR. BURDETT-COUTTS (Westminster): I desire to ask whether the right hon. Gentleman will give this House an opportunity of discussing the terms of reference and the scope and composition of the Commission. I may state that I have the strongest possible objection to one name on that Commission.

MR. A. J. BALFOUR: Perhaps the hon. Gentleman will tell me what his objection is. I see no reason whatever for giving the opportunity asked for.

MR. ARNOLD-FORSTER (Belfast, W.): Does the reference include the power of inquiry into the organisation of the Army Medical Department?

MR. A. J. BALFOUR: That, Sir, is not a question referred to the Commission, but I have no doubt that their finding will have a bearing on it.

MR. DILLON: I beg to ask the First Lord of the Treasury whether the Government will appoint an independent Commission to inquire as to the responsibility of the War Office in connection with the treatment of the sick and wounded in South Africa and into the organisation and present condition of the Army Medical Department, such Commission to sit immediately and conduct its inquiry independently of the Commission which it is proposed to send to South Africa.

MR. A. J. BALFOUR: Two independent and simultaneous Commissions, whose duties would overlap, seem to me to be very objectionable.

NEW ZEALAND CONTINGENT—TREATMENT OF THE SICK AND WOUNDED.

MR. DILLON: I beg to ask the Secretary of State for the Colonies whether the Government of New Zealand have addressed a communication to the Home Government with reference to the treatment of the sick and wounded of the New Zealand contingent, and of those who have been invalided home; and, if so, whether he will lay the correspondence upon the Table of the House.

THE SECRETARY OF STATE FOR THE COLONIES (Mr. J. CHAMBERLAIN, Birmingham, W.): The only communication I have received from the Government of New Zealand on this subject is the following telegram from Lord Ranfurly, dated 3rd July—

"My Government have received great complaints from contingents with regard to hospital arrangements in South Africa. New Zealand is prepared to meet any costs for comforts or attendance on them."

To this I have sent the following reply—

"In reply to your telegram of yesterday (hospital arrangements) Her Majesty's Government regret to learn that such complaints have been made. Although owing to military exigencies there may have been unavoidable temporary deficiencies, as to which Her Majesty's Government propose to hold full inquiry, ample supplies are available, and Her Majesty's Government, while appreciating offer to meet cost of attendance, consider that any such expense should be properly borne by Imperial funds."

MR. DILLON: Was there not a complaint that some of the New Zealand contingent had been sent home badly clothed?

MR. J. CHAMBERLAIN: I have read the only communication received on the subject.

CENSORSHIP REGULATIONS.

CAPTAIN SINCLAIR (Forfarshire): On behalf of the hon. Member for the Rushcliffe Division of Nottinghamshire, I beg to ask the First Lord of the Treasury whether, having regard to the fact that minutes from the Prime Minister and Governor of Natal and Generals Murray and Buller, respecting the censorship in that colony of letters and telegrams, have been made public at the request of those who wrote them, he will now lay upon the Table any documents which have been issued by the Government, or those responsible in South Africa, prescribing or dealing in any way with the manner in which the censorship of telegrams or letters should be carried out in South Africa or elsewhere.

MR. A. J. BALFOUR: If this question refers, as I presume it does, to the censorship over Press communications, as far as I know there are no documents, the whole responsibility resting with the generals in South Africa.

CAPTAIN SINCLAIR: The question refers to the censorship of letters and telegrams, not solely to the censorship of documents.

MR. A. J. BALFOUR: Of course, with regard to foreign telegrams and relations with foreign countries, no doubt there are documents, and we have no objection to publishing anything that has been published in Natal or anything that has been made public through the international bureau at Berne.

SPION KOP DESPATCHES.

MR. SWIFT MACNEILL: I beg to ask the Under Secretary of State for War whether he will explain why the explantion given by Sir Redvers Buller in his despatches on the Spion Kop disaster, with reference to his failure to exercise proper control over General Warren, was not included in the published portions of those despatches, and will he state why the remarks of Lord Roberts conveying a censure on Sir Redvers Buller for abstaining from the assertion of his authority as the officer in chief command over General Warren were published, while Sir Redvers Buller's explanation of the circumstances under which he so abstained has been withheld from the public.

*THE UNDER SECRETARY OF STATE FOR WAR (Mr. WYNDHAM, Dover): The Secretary of State published without omission two despatches from Sir C. Warren, and two covering despatches from Sir Redvers Buller. He also published Lord Roberts's comments on these four documents. He did not, as I pointed out in debate, publish a number of other documents, including one from Sir Redvers Buller, which was marked by him "not necessarily for publication."

MR. SWIFT MACNEILL (Donegal, S.): And was that Sir Redvers Buller's explanation of his conduct with regard to Sir Charles Warren? Yes, or no?

*MR. WYNDHAM: I have no intention of re-discussing the exercise made of his discretion by the Secretary of State.

MR. SWIFT MACNEILL: We will discuss it on the Estimates.

PAARDEBERG DESPATCHES.

MR. DILLON: I beg to ask the Under Secretary of State for War if he can state when the despatch giving the official account of the battle of Paardeberg will be published.

*MR. WYNDHAM: This question will be answered with one later on standing in the name of the Leader of the Opposition.

PUBLICATION OF DESPATCHES.

SIR H. CAMPBELL-BANNERMAN: I beg to ask the First Lord of the Treasury when it is intended to make any further publication of despatches describing military operations in South Africa, including those relating to the action at Magersfontein, the advance to Bloemfontein, the siege of Ladysmith, and other operations in Natal.

MR. A. J. BALFOUR: After the controversies which have occurred on this subject there is, of course, some difficulty

in deciding when the despatches should be published, but I hope they will be published without very long delay. I will consult with my noble friend the Secretary for War on the subject.

SIR H. CAMPBELL-BANNERMAN: Will the right hon. Gentleman bear in mind that the siege of Ladysmith is a thing long past and gone?

MR. A. J. BALFOUR: Yes, that is so.

MR. SWIFT MACNEILL: Will the right hon. Gentleman also bear in mind that the Koorn Spruit disaster took place on 31st March, and will he tell us the hero of that transaction?

SIR WILFRID LAWSON (Cumberland, Cockermouth): On behalf of the hon. Member for East Northamptonshire I beg to ask the First Lord of the Treasury when further despatches and documents relating to political affairs in South Africa will be laid before the House; and whether, in any case, such Papers will be in the hands of Members before the Vote for the Colonial Office is taken.

MR. A. J. BALFOUR: My right hon. friend proposes to lay Papers in the course of the next fortnight.

HOSPITAL ORDERLIES.

MR. EDMUND ROBERTSON (Dundee): On behalf of the Member for the Ilkeston Division of Derbyshire, I beg to ask the Under Secretary of State for War whether he can state the number of hospital orderlies employed in South Africa in the weeks ending 17th March, 21st April, and 19th May respectively, distinguishing, if possible, those belonging to the Royal Army Medical Corps, the Volunteers, the St. John Ambulance Brigade, and other organisations.

*MR. WYNDHAM: The numbers of hospital orderlies employed in South Africa were as follows: 17th March, 2,936, including 560 St. John Ambulance Brigade; 21st April, 3,739, including 766 St. John Ambulance Brigade, 84 Militia Medical Staff Corps and 361 Volunteer Medical Corps; 19th May, 3,943, including 986 St. John Ambulance Brigade, 91 Militia Medical Staff Corps, and 492 Volunteer Medical Corps. This does not include the staff of such hospitals as the Yeomanry Hospital, Portland Hospital, etc., the subordinate male staff of which numbers 519, but of which it is not known how many are employed as orderlies. The returns of Medical Staff raised locally in addition to the above are not furnished to the War Office; but 1,200 stretcher bearers are known to have been raised in Natal, thereby releasing orderlies of the Royal Army Medical Corps for duty in the hospitals.

INQUIRIES INTO CAPTURES OF BRITISH TROOPS.

SIR E. ASHMEAD-BARTLETT (Sheffield, Ecclesall): I beg to ask the Under Secretary of State for War whether there is to be any formal inquiry by the military authorities into the causes of any of the captures of British troops during the campaign in South Africa.

*MR. WYNDHAM: The Queen's Regulations lay down that an inquiry must be held in such cases. We have no doubt that the Commander-in-Chief will see that such an inquiry is held whenever the circumstances demand it.

ST. JOHN AMBULANCE BRIGADE—MODERN GUNS FOR ARTILLERY VOLUNTEERS.

MR. HARWOOD (Bolton): I beg to ask the Under Secretary of State for War if there is any intention to recognise the services rendered in South Africa by the St. John Ambulance Brigade, nearly 1,500 of whose members have gone out to assist the Army Medical Corps; and whether there is any chance of our Artillery Volunteers being soon supplied with more modern guns.

*MR. WYNDHAM: Questions of this kind cannot be conveniently dealt with until the war in South Africa is over. Steps have been taken to supply the Artillery Volunteers with modern guns at the earliest possible date.

USE OF THE RAILWAY TO KIMBERLEY BY THE DE BEERS COMPANY.

MR. LABOUCHERE (Northampton): I beg to ask the Under Secretary of State for War whether any information has been received at the War Office of a discussion between the military authorities at Cape Town and the representative of

the De Beers Company respecting the running of trains from Cape Town to Kimberley during the period between the taking of Bloemfontein and the advance on Pretoria; and whether any such trains were run; and, if so, whether stores for the De Beers Company were sent to Kimberley by them.

*MR. WYNDHAM: No such information has been received at the War Office.

TREATMENT OF DISCHARGED SOLDIERS—CASE OF PRIVATE WEIR.

MR. SWIFT MACNEILL: I beg to ask the Under Secretary of State for War what explanation has the War Office to give for the removal from Netley Hospital of Private Robert Weir, of the 27th Inniskilling Fusiliers, who had served with his regiment all through the Natal campaign, and was sent home in an enfeebled state of body and mind, and of the deportation of this soldier, who is without a pension and has received no gratuity, to the workhouse at Enniskillen, where he is at present a pauper inmate.

*MR. WYNDHAM: Investigations are necessary before a question of this nature can be answered. I must request the hon. Member to postpone it.

SECTION 423 OF THE QUEEN'S REGULATIONS.

MR. SCOTT MONTAGU (Hampshire, New Forest): I beg to ask the Under Secretary of State for War whether, in view of the fact that Section 423 of the Queen's Regulations is habitually infringed by all ranks in Her Majesty's Army, from generals to privates, he will consider the advisability of enforcing the said regulation, modifying it, or abolishing it.

*MR. WYNDHAM: There is no reason to suppose that the paragraph in question is habitually infringed, and the Commander-in-Chief sees no reason to alter it.

MR. GIBSON BOWLES (Lynn Regis): What is this section?

*MR. WYNDHAM: The hon. Member no doubt knows.

UNDER-AGE RECRUITS—CASE OF JOHN SMITH.

MR. PATRICK O'BRIEN (Kilkenny): I beg to ask the Under Secretary of State for War whether it has come to the knowledge of the War Office that a boy named John Smith, under fifteen years of age, enlisted in the Meath Militia in April last without his parents' consent, and that his father has since appealed for his son's discharge; and whether he will see that the boy is discharged.

*MR. WYNDHAM: The officer commanding the regimental district is authorised to discharge a recruit who is under seventeen years old if his parents apply for his discharge, and prove his age by furnishing a certificate of birth.

MR. PATRICK O'BRIEN: Will this boy be discharged?

*MR. WYNDHAM: I will see into that.

RESERVE OFFICERS' RETIRING ALLOWANCES.

COLONEL LOCKWOOD (Essex, Epping): On behalf of the hon. Member for the Henley Division of Oxford, I beg to ask the Under Secretary of State for War whether he can explain why in the two classes of Reserve officers, namely, those who retired receiving a gratuity or lump sum, and those who retired on a pension, while both classes receive the full pay of their rank while serving, the officers entitled to pensions are deprived of their pensions, though no deductions are made in the case of officers who have received a gratuity, and can he state whether Reserve officers are being granted the usual allowances of their rank; and whether those officers who have been deprived of their pensions will become entitled to them as a matter of right on completion of their present service.

*MR. WYNDHAM: As there has been a good deal of misunderstanding on this point, perhaps I may be allowed to make a somewhat full statement. Retired pay is not granted to officers solely as a reward for work done; it is also a retaining fee, and is coupled with a liability to return to service. If an officer of military age refuses to return to service when summoned, his retired pay may be stopped as a punishment. That being so, the rule is, exactly as in the case of half pay, that the lower rate of pay drops when the full pay begins. An officer is not allowed to draw full pay and retired pay at the same time, any more than he is allowed to draw full pay and half pay

at the same time. Turning to the case of the officer who retires with a gratuity. His gratuity is regarded as capitalised retired pay; he compounds for a gratuity instead of taking an annual rate of retired pay. Therefore, the rule was that when he came back to full pay the actuarial annual value of his gratuity should be deducted from his full pay. The Secretary of State has changed that rule for two reasons. In the first place, the gratuity is always much less than the actuarial value of the retired pay given for the same service. But the more practical point is that the gratuity was actually given as a lump sum and is not, as a rule, in the officers' possession when he is called upon to return to service, so that a deduction from full pay would in that case be a real hardship to the officer. The Secretary of State took a favourable view of those cases, and discontinued the deduction. In reply to the other two points in the question I may say that every officer recalled to service gets his allowances, unless he receives consolidated pay which includes allowances; and every officer who passed from retired pay to full pay when called out, will return to retired pay when the emergency is past.

REGIMENTAL DISTRICT COMMANDS.

MR. LEES KNOWLES (Salford, W.): I beg to ask the Under Secretary of State for War whether, although command pay is retained by an officer commanding a regimental district during his absence upon leave not exceeding thirty days at a time in the year, it is intended, under Army Order 119 of this year, that such an officer shall be deprived of it when he is detailed for fourteen days or more on extra duty, as for instance when he is in command of a Volunteer brigade at a camp of instruction; whether, during the time of such absence on extra duty, he is still in effect responsible for the work in his regimental district; and whether, if is intended that such an officer shall be so deprived, command pay will be given to the major left temporarily in command of the regimental district.

*MR. WYNDHAM: Perhaps the hon. Member will allow me to answer the last paragraph of his question first. I have stated in reply to a former question of his that during the colonel's absence on duty the major who takes command draws the command pay. This is not the case when the colonel goes on leave, because leave means permission to be absent without deduction from pay. But the colonel is naturally not allowed to draw pay for the work he does not do in addition to a special rate of pay for the work he does.

VOLUNTEER CAMPS—SURGEONS' ALLOWANCES.

MR. CHANNING (Northamptonshire, E.): I beg to ask the Under Secretary of State for War if he will explain why allowances for attendance at camp are only made to the senior surgeon of a Volunteer battalion, and not also to the junior surgeons; and whether the War Office will consider the claim of junior surgeons to have an allowance in respect of attendance in camp.

*MR. WYNDHAM: As I stated in answer to a question on 21st June, one medical officer is allowed in each unit, one additional for each brigade, and three for each bearer company. This is considered sufficient.

MR. CHANNING: Is the hon. Gentleman aware that this is considered a great hardship by a large number of the junior surgeons?

*MR. WYNDHAM: We could not possibly give a Volunteer battalion, at the cost of the public, a much larger medical staff than is allowed to a battalion of regular troops.

SIR HOWARD VINCENT (Sheffield, Central): I beg to ask the Under Secretary of State for War if a decision has yet been taken to facilitate the attendance of Volunteer surgeons in camp, and to enable the pay and allowances of one surgeon to be divided according to the attendance their private practice enables them to give.

*MR. WYNDHAM: Yes, Sir. The Secretary of State for War has decided to make this concession to the medical officers of Volunteer corps.

ARMY PENSIONS—CASE OF HENRY BEATTY.

MR. CLANCY (Dublin Co., N.): I beg to ask the Under Secretary of State for War whether his attention has been

called to the case of a man named Henry Beatty, who, after having been in the Army and Reserve for twenty-one years and six days, was discharged from the Reserve on 7th January, 1886, with a good conduct certificate; whether he is aware that the greater portion of Beatty's period of service was spent in the East Indies, where he contracted fever and ague, the effect of which has been absolutely to ruin his health and render him incapable of any active employment; and will he state whether Beatty is entitled to a pension; and, if so, to what pension, and, if the man has not received it, will he explain on what ground it has been withheld.

*MR. WYNDHAM: If the hon. Member will tell me the regiment from which Henry Beatty was discharged, his case shall be inquired into.

COMPULSORY RETIREMENT OF WAR OFFICE CLERKS.

SIR THOMAS ESMONDE (Kerry, W.): I beg to ask the Secretary to the Treasury whether the Order in Council of 29th November, 1898, paragraph 18 (General), gives authority to the Secretary of State for War to compulsorily retire from the Civil Service an abstractor clerk, gazetted to the War Office, who had made timely protest against being brought under its retrospective action.

THE FINANCIAL SECRETARY TO THE TREASURY (Mr. HANBURY, Preston): Certainly.

INDIAN FAMINE—RELIEF OPERATIONS.

SIR WILLIAM WEDDERBURN (Banffshire): I beg to ask the Secretary of State for India whether he can give any particulars, as to the different provinces, regarding the return of the cultivators from the famine camps to their villages, to cultivate their fields on account of the rain which has fallen; and whether he will state the measures which are being taken to feed them in their villages until their crops are ripe.

*THE SECRETARY OF STATE FOR INDIA (Lord G. HAMILTON, Middlesex, Ealing): In accordance with the instructions of the Famine Codes and with the advice of the Famine Commission, the large relief works are being gradually closed as the rainy season advances, and as inducements in the shape of home relief draw the people back to their villages. Arrangements are ready, or are being made, for relieving the destitute at their homes and for giving them employment at or near their villages. I have recently received the following information from the Government of India on this subject.

"Our relief measures have already far exceeded Code prescriptions, which are elastic, not rigid, and have been adapted by us to differing local requirements to entire satisfaction of local governments concerned. Thus in Central Provinces a multitude of kitchens will feed all comers during the rains. Aged and infirm relieved at home. Able-bodied labourers given local employment by village headmen at cost of State, wherever private demand for field labour slack. Sixty lakhs land revenue suspended out of the eighty-six demand. This sum added to twenty-seven lakhs special advances and thirty lakhs charitable relief will, in Chief Commissioner's opinion, secure active agriculture during the rains. Similar relief during rains adopted elsewhere. Bombay Government are extending kitchens and gratuitous lists and granting ryots advances for subsistence, selves and labourers, till next crop. They estimate twenty-five lakhs for this besides over sixty lakhs for seed and cattle. In Punjab small farmers and labourers will receive subsistence."

INDIAN FAMINE—SUGGESTED PARLIAMENTARY GRANT — LONDON INDIAN SOCIETY.

SIR WILLIAM WEDDERBURN: I beg to ask the First Lord of the Treasury whether the Prime Minister has received a memorial from the London Indian Society, praying for an Imperial grant in aid of the Indian famine; and if so, whether he will state what reply has been given.

MR. A. J. BALFOUR: I understand that such a memorial has been received by the Prime Minister.

INDIAN GOVERNMENT CONTRACTS—ATTEMPTED BRIBERY.

SIR SEYMOUR KING (Hull, Central): I beg to ask the Secretary of State for India whether he has yet heard from the Government of India why, in the report of the finding and sentence of a court martial at Ferozepore on a conductor charged with taking bribes from a contractor, blanks appeared in the Punjab command orders; and whether he can now give the required information as to who offered the bribe, on behalf of what

firm the bribe was offered, what the stores were, and at whose instance the facts were suppressed.

*LORD G. HAMILTON: I am informed by the Government of India that the names were omitted by the Punjab military authorities from the report to which my hon. friend refers in consequence of a mistaken notion as to the legal liabilities which might be incurred by their publication. The goods in question were shipped by the Indian Brush Factory and were up to standard. They were rejected because the travelling agent who acted on their behalf offered a bribe to secure their passing. His name is Gordon.

ASHANTI—NATIVE RISING—INVESTMENT OF COOMASSIE.

SIR E. ASHMEAD-BARTLETT: I beg to ask the Secretary of State for the Colonies whether he is now in a position to give the House any information as to the British garrison in Coomassie and as to the relieving column. Is there any confirmation of the report that the garrison has succeeded in escaping?

MR. J. CHAMBERLAIN: I have received this morning the following telegram from Colonel Willcocks:—

"Fumsu, 4th July.—Just received letter sent by Governor Hodgson, in which he states that he with 600 native soldiers under the command of Major Morris, departed from Coomassie, 23rd June, by way of Patiasa and Terrabum. Two British officers severely wounded; does not send names. Captain Bishop, inspector of constabulary, Gold Coast, and Ralph, Lagos Constabulary, and 100 native soldiers, have been left behind at Coomassie, with rations up to 15th July. I will personally relieve Coomassie by that date under any circumstances. Hodgson states that he intended to go over River Ofin by way of Mempong to Cape Coast, but I have applied to him by urgent special messengers to leave behind as many men as possible in order to give assistance to me to enter into Coomassie. Lieutenant-Colonel Burroughs, with 400 native soldiers, arrived at Dompoasi 1st July. Enemy's force taken completely by surprise; stockades evacuated by them. Burroughs captured forty guns, quantity of gunpowder and caps, and also killed thirty of the enemy; our loss, one native soldier killed in action, three native soldiers wounded."

ALIEN IMMIGRATION.

SIR HOWARD VINCENT: I beg to ask the President of the Board of Trade if he is aware that in the three years 1897, 1898, and 1899, over 130,000 alien immigrants, other than seamen, landed in Great Britain permanently to augment the native population; that of these 64,000 were Russians, Poles, and Italians, or more than 30 per cent. more than in any previous period, and that this increase is still continuing; and whether, under these circumstances, he will explain why there there is a delay in fulfilling the undertaking given by him on 9th February, 1897, that the Government adheres to every pledge given on this subject, and that he hoped at no distant period to propose legislation to Parliament on the subject.

THE PRESIDENT OF THE BOARD OF TRADE (MR. RITCHIE, Croydon): The total number of aliens other than seamen recorded on the alien lists as having arrived in the United Kingdom from the Continent in 1897, 1898, and 1899, and not stated in those lists to hold through tickets to other countries was 130,520, of whom 64,127 were Russians, Poles, or Italians. The number of immigrants of these nationalities in 1899 was more than 30 per cent. greater than in any year since 1893.

SIR HOWARD VINCENT: That is not an answer to my question. It is merely a repetition of the facts stated in it. I want to know the cause of the delay?

MR. RITCHIE: I am afraid I rather missed that point. I suppose no steps have been taken because the House has been engaged on other business.

MR. FLAVIN (Kerry, N.): How many of these aliens have become enfranchised?

[No answer was given.]

SMALL DWELLINGS ACQUISITION ACT, 1899 — LOANS TO LOCAL AUTHORITIES.

MR. BILLSON (Halifax): I beg to ask the President of the Local Government Board how many applications for loans under the Small Dwellings Acquisition Act, 1899, have been received from local authorities since the Act came into operation, and what amount of money has been advanced to local authorities in respect of such applications.

THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (MR. T. W. RUSSELL, Tyrone, S.): No sum has at

present been advanced to local authorities in England and Wales under the Act referred to, but the Local Government Board have received two applications for sanction to borrow money under the Act, and in one of these cases the loan has been sanctioned. I have no information as regards Scotland and Ireland.

INSTRUCTION IN COOKERY FOR BOYS.

MR. HOBHOUSE (Somersetshire, E.): I beg to ask the Vice-President of the Committee of Council on Education if his attention has been directed to the importance of giving instruction in cookery to boys likely to enter the mercantile marine service; and if he will consider the advisability of modifying the provisions of the Day and Evening Schools Codes so as to enable such instruction to be given to boys, when required, in seaport towns.

THE VICE-PRESIDENT OF THE COMMITTEE OF COUNCIL ON EDUCATION (Sir J. GORST, Cambridge University): Yes; the matter is now receiving consideration.

WORKMEN'S COMPENSATION ACT—CREWE CASE.

COLONEL MILWARD (Stratford-on-Avon): I beg to ask Mr. Attorney General whether his attention has been directed to a judgment in the Crewe County Court, delivered by Judge Yate Lee upon 19th June, in which the judge held that he had not power to enforce by a commitment order the payment of compensation to an injured workman under the Workmen's Compensation Act; and whether, failing the county court, there is any other inexpensive tribunal open to workmen whose employers fail or decline to pay compensation.

THE ATTORNEY GENERAL (Sir ROBERT FINLAY, Inverness Burghs): My attention has been called to the judgment in question. I am informed that another learned county court judge has decided the other way, and I hope that before long the point may be settled by the judgment of a superior court. With regard to the second paragraph of my hon. friend's question, I must point out that the decision as to commitment orders does not preclude the enforcement of the award by execution or otherwise.

HINCKLEY POST OFFICE.

MR. M'LAREN (Leicestershire, Bosworth): I beg to ask the Secretary to the Treasury, as representing the Postmaster General, whether the attention of the Postmaster General has been called to a recent report of the medical officer of health for the town of Hinckley, in which he animadverted on the arrangements of the Hinckley post office in respect of sanitary accommodation for the clerks and for the postmaster's household, in respect of space for the staff and for the public, and in respect of ventilation; whether it has been admitted by the Surveyor to the Post Office that the present building is insufficient for the postal needs of a manufacturing town of 12,000 inhabitants, and whether he is aware that, after representations had been made to the Postmaster General on the subject several years ago, a site was actually acquired by him in a suitable position for a new post office; and whether he can give any assurance that the matter will be further inquired into, and the erection of a new and commodious post office proceeded with.

MR. HANBURY: Attention has been called to the report in question, and it is admitted that the present post office at Hinckley is insufficient. A site was purchased last year and plans for a new building have been prepared and are under consideration. The erection of the building will be proceeded with as soon as practicable.

POSTAL DELAYS IN THE METROPOLIS.

MR. COHEN (Islington, E.): I beg to ask the Secretary to the Treasury, as representing the Postmaster General, whether he is aware that a large number of letters posted in the E.C. district on 30th June were not delivered in the N.W., N.E., W., and S.W. districts till various times between twelve and two o'clock on the 2nd instant, although the letters, having been posted in the metropolitan area, were understood to be unaffected by the recent postal changes for letters to and from the provinces; and whether, if the delay is due to the recent alterations in the postal arrangements, he can state why the irregularities have lasted over a period so much longer than was expected, and how much longer it will be before they may be expected to cease.

MR. HANBURY: The Postmaster General is not aware that a large number of letters were delayed as stated by the hon. Member; but it is known that a large number of prospectuses, notices of sales, etc., handed in at the General Post Office and at Mount Pleasant on Saturday the 30th ultimo, were kept over for delivery on Monday morning the 2nd instant. Such a course is sometimes unavoidable, especially at the turn of the half year. Letters for delivery in the metropolitan area which are posted in the Eastern Central district in a box marked "London," are not affected by the recent change.

MR. COHEN: My information is that it was not the prospectuses which were delayed, but sealed letters containing cheques. May I suggest that the sorting work should be done by——

*MR. SPEAKER: Order, order! The hon. Member is now making a speech.

MR. BROADHURST (Leicester): I beg to ask the Secretary to the Treasury, as representing the Postmaster General, whether his attention has been called to the delays in the transmission of letters between the metropolis and some parts of the country; whether complaints have been made as to the inconvenience thus caused to business men; and whether he will take immediate steps to restore some measure of regularity.

MR. HANBURY: Yes, Sir; this matter has been engaging the Postmaster General's very careful attention, and he has good reason to believe that the steps taken with the view of restoring regularity in the service have proved successful.

COOTEHILL (CAVAN) POSTMASTERSHIP.

MR. SAMUEL YOUNG (Cavan, E.): I beg to ask the Secretary to the Treasury, as representing the Postmaster General, if he can state the qualifications of Mr. Armstrong for appointment as postmaster in Cootehill, county Cavan; whether, although following the occupation of a druggist, he was appointed over the heads of candidates of long experience in the postal service; and seeing that Mr. Armstrong's predecessor was obliged to give up all other occupations, whether Mr. Armstrong has also been required to devote his entire time to official work.

MR. HANBURY: Mr. Armstrong was reported to be fully competent to discharge the duties of sub-postmaster. It was considered necessary to appoint a man in order that efficient control should be maintained over the twelve established and auxiliary postmen attached to the office, and none of the four post office servants who applied for the appointment were suitable, three being women and the fourth an unestablished officer who does not reside at Cootehill. It is not intended to require Mr. Armstrong to relinquish his private business.

MR. SAMUEL YOUNG: Was not Mr. Armstrong's predecessor a grocer who was required to devote the whole of his time to the work of the office?

MR. HANBURY: I am told that that is not the case.

MR. DALY (Monaghan, S.): Was the last holder of the office a lady?

MR. HANBURY: Yes.

TELEGRAPHIC COMMUNICATION IN COUNTY CAVAN.

MR. SAMUEL YOUNG: I beg to ask the Secretary to the Treasury, as representing the Postmaster General, having regard to the fact that in autumn last a guarantee was given for extending the telegraphic communication to Shercock, county Cavan, whether he can state the reason for the delay in having the work accomplished.

MR. HANBURY: By the time that those concerned definitely communicated their decision to give a guarantee the sum of money voted by Parliament for telegraph extensions in last financial year was exhausted, and the Postmaster General had no alternative but to explain that the work could not be put in hand until after the end of March in the current year. Unfortunately in that month the post office at Shercock became vacant, and one of the guarantors—the mother of the late sub-postmistress—had to be released from the guarantee. The case is, therefore, in abeyance pending the execution of a fresh guarantee.

GRANTS FOR NEW SCHOOLS IN NORTH SLIGO.

MR. O'DOWD (Sligo, N.): I beg to ask the Chief Secretary to the Lord

Lieutenant of Ireland in view of the fact that the Government grant for the erection of a new national school in Ireland amounts to a sum equal to two-thirds of the estimated cost of the building, the remaining portion being supposed to come from local sources, and that in certain congested districts in Ireland this local levy cannot be raised owing to the poverty of the people, the consequence being that much needed schools, including those of Rockfield and Rathbarrow, in North Sligo, remain unbuilt, to the detriment of primary education in Ireland, whether the Government will consider the advisability of increasing the grants for the erection of schools in these districts.

THE CHIEF SECRETARY FOR IRELAND (Mr. G. W. BALFOUR, Leeds, Central): I have received no representations on this subject from the Commissioners of National Education, and in the absence of any such representations I am not in a position to consider the question.

IRISH DISPENSARY MEDICAL DOCTORS.

MR. SAMUEL YOUNG: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been directed to a resolution unanimously adopted by the board of guardians at Banbridge, county Down, on the 28th ult., which sought the amendment of the law upon the subject of the appointment of dispensary medical officers in Ireland, in order that each doctor should provide and pay for the services of a *locum tenens* in all cases of his own absence, and whether he will give his favourable consideration to the suggestion.

MR. G. W. BALFOUR: The resolution referred to has been received; but I do not think the suggestion contained in it could be adopted with advantage.

COLERAINE WORKHOUSE—RELIGIOUS INSTRUCTION TO CHILDREN.

MR. SAMUEL YOUNG: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that some months ago two children of a man named Roger O'Brien were placed in the Coleraine workhouse, that they were shortly after their birth baptised as Roman Catholics, and that they have since been registered as Protestants in the books of the workhouse; whether these children will be delivered over to their father, who has applied for them, if he undertakes to support them; and by whom, and under what authority, and when, their religion was changed from Catholic to Protestant in the books of the workhouse at Coleraine.

MR. G. W. BALFOUR: The putative father of these children is, I understand, a Roman Catholic, whilst their mother, who died in January last, was a Protestant. The two elder children were, it appears, baptised as Protestants and the two younger as Roman Catholics. The board of guardians at their meeting held on the 10th February, having before them the opinion of counsel, resolved that the religious registration of the younger children in the workhouse books should be altered from Roman Catholic to that of Irish Church. I am unable to reply to the second paragraph; the matter is one for the guardians themselves to deal with.

MR. T. P. O'CONNOR (Liverpool, Scotland): Have the Government no power to interfere with these attempts at proselytism?

MR. G. W. BALFOUR: The matter lies entirely in the hands of the guardians.

PROCLAIMED MEETING AT NEWMARKET.

MR. FLYNN (Cork, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he will state on what grounds a public meeting announced to be held in Newmarket, county Cork, on 3rd June, to be addressed by the Parliamentary representative of the division and other speakers, was proclaimed; and can he state how many officers and men of the Royal Irish Constabulary were called in to enforce the proclamation, and from what source the expense involved is to be defrayed.

MR. G. W. BALFOUR: This meeting, which was convened under the auspices of the United Irish League, was proclaimed because the Government had reason to believe that it was intended to denounce and intimidate a particular individual who is in occupation of an evicted farm in the neighbourhood. The force of police present consisted of 4 officers and 150 men. Any additional expense involved by their employment will be defrayed from the Constabulary Vote.

MR. FLYNN: On what ground had the Government "reason to believe"?

MR. G. W. BALFOUR: We had a sworn information to the effect I have stated.

MR. FLYNN: Sworn by whom?

MR. G. W. BALFOUR: The district inspector.

MR. FLAVIN: Has the right hon. Gentleman knowledge of the fact that the meeting was held notwithstanding the proclamation?

[No answer was returned.]

ANÆSTHETICS IN BELFAST ROYAL HOSPITAL.

MR. MACALEESE (Monaghan, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he can give any particulars to the House regarding the case of a man named George Dover, who died at the Belfast Royal Hospital, on 7th June ultimo, under an anæsthetic, and will he explain why no inquest was held in this case to ascertain if the anæsthetic which proved fatal had been properly administered, while on the same day an inquest was held on another hospital case in which the jury returned a verdict of death from natural causes; is he aware that the Town Clerk of Belfast, at the instance of the Finance Committee of the City Council, asked for an explanation of this matter from the coroner, who replied that the only person entitled to demand explanations from him was the Lord Chancellor; and will he take steps to draw the attention of the Lord Chancellor to this case.

MR. G. W. BALFOUR: I understand that the coroner, in the exercise of the discretion vested in him, decided that it was unnecessary to hold an inquest in the case of George Dover, whilst in the second case referred to he found it imperatively necessary to hold an inquest. It is open to any of the parties interested to bring the action of the coroner under the notice of the Lord Chancellor. He is not an officer of the Executive, and the Government see no reason for intervening as suggested in the last paragraph.

MR. SWIFT MACNEILL: Was an explanation demanded by the Lord Chancellor?

[No answer was returned.]

LIGHT RAILWAYS.

MR. FLAVIN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he state what amount, if any, of the money voted by Parliament, namely, £1,000,000, for building light railways in Ireland, is now available for that purpose, and also what amount, if any, is now available out of the £250,000 voted for free grants.

MR. G. W. BALFOUR: The figures are not accurately stated in the question, but I may observe that none of the money provided by Parliament for the construction of light railways in Ireland is now available for further railway projects.

"PADDY THE WAD."

MR. FLAVIN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that an employee of Lord Kenmare, locally known as Paddy the Wad, who was sentenced to twenty years penal servitude for kicking an old woman to death in the district of Killarney, has been released from prison; and can he state what term of actual imprisonment did this man undergo after his sentence and up to the time of his release, and on what grounds and on whose recommendation he was released.

MR. G. W. BALFOUR: Patrick Brosnan, to whom the question refers, was convicted at the Munster Winter Assizes, 1894, of the manslaughter of a woman, and sentenced to twenty years penal servitude. His term of actual imprisonment amounted to nearly two years. He was released in November, 1896, on the ground of health, upon a report furnished by the medical officers of the prison, which was concurred in by the medical member of the Prisons Board.

MR. FLAVIN: What was the matter with the gentleman's health? Were there any other reasons for his release?

MR. G. W. BALFOUR: I have said he was released on the ground of health.

SYLVESTER DWYER.

MR. FLAVIN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he can state on what date was Sylvester Dwyer, now a prisoner in Maryborough Gaol, convicted, and what

was the sentence imposed on him; and can he say for how long Dwyer has now been in prison.

MR. G. W. BALFOUR: This prisoner was convicted of a Whiteboy offence at the Cork Winter Assizes on the 10th January, 1888, and sentenced to eighteen years penal servitude. He was in custody awaiting trial from the 9th April in the previous year, so that he has been in prison over thirteen years.

MR. FLAVIN: Why was not the same clemency extended to this man as to Lord Kenmare's bailiff?

MR. COGHILL (Stoke-upon-Trent): Will Dwyer, after his imprisonment is over, be appointed to an office under the Irish Executive?

[No answer was given.]

R.I.C.—MARRIAGE REGULATIONS.

MR. T. J. FARRELL (Kerry, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he can state what are the Constabulary regulations in connection with members of the police force who get married in the district in which they are stationed; and whether it is usual to allow constables to continue to do duty for lengthened periods in the districts in which they have family associations and connections.

MR. G. W. BALFOUR: Members of the force, on becoming connected by marriage in the county in which they are stationed, are liable to transfer to another county. In some cases, however, where it is manifest that the interests of the public service would not suffer by a relaxation of the rule, it is not enforced.

DRAPERS' COMPANY'S ESTATES IN COUNTY DERRY.

MR. PATRICK O'BRIEN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the tenants of the Drapers' Company's estate, county Derry, who recently purchased their holdings under the Land Purchase Acts, had turbary rights, extending sixty years back, on the Cullion Mountain, and that these rights were recognised since the tenants purchased their holdings, and up to February last, when the Drapers' Company sold the bog to two tenants on another estate, who are now preventing the tenants from cutting turf; and whether the Land Commission will take any action to secure the turbary rights, which the tenants claim to have enjoyed for so long in this bog, and which rights the tenants claim they purchased with their holdings from the Drapers' Company.

MR. G. W. BALFOUR: The Land Commissioners have no information as to special turbary rights on Cullion Mountain, and no reference was made to turbary rights in the agreements for sale. The Commissioners have no jurisdiction to take the action suggested; the tenant purchasers can proceed before the ordinary tribunals to enforce any rights which they may have as appurtenant to their holdings.

DUBLIN POLICE UNIFORMS.

MR. FLYNN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the contract system for the uniform and clothing of the Dublin Police and of the Royal Irish Constabulary is under the control of the War Department; and whether, seeing that the organisation of the Royal Irish Constabulary is not under the control of the War Office in any other department, he will consider the advisability of instituting a clothing department in Ireland.

MR. G. W. BALFOUR: The contracts for clothing for the Constabulary are made through the War Department. Contracts for the Dublin Metropolitan Police are made through the Chief Commissioner. In both cases, however, the cloth is required to undergo the War Department tests, and in both cases also the tailoring is done in Ireland. In answer to the second paragraph I must refer to my reply on Tuesday last to the question of the hon. Member for North Louth on the same subject.*

MR. FLYNN: Could not the War Office deposit a specimen of the cloth in Dublin, so that Irish manufacturers may see it?

MR. G. W. BALFOUR: Samples of the cloth have been sent to Irish manufacturers.

* See p. 413 of this volume.

HOSPITAL (LIMERICK) PETTY SESSIONS CLERKSHIP.

MR. AUSTIN (Limerick, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that a vacancy exists in the clerkship of the petty sessions district of Hospital in the county of Limerick; will he state under what circumstances magistrates are entitled to vote for the filling up of the vacancy; and will the Crown take the necessary steps to ensure that magistrates who have not qualified themselves by the legal attendance at petty sessions will record their votes at the election.

MR. G. W. BALFOUR: There is a vacancy for a petty sessions clerk in the district mentioned. Magistrates only are entitled to vote who, being resident in the petty sessions district for which the election of clerk is held, are justices of the county in which said district is situated; or who, though not resident in the district, are in the habit of attending and acting as justices at the petty sessions court thereof. As a general rule, which, however, is subject to modification where exceptional circumstances exist, a magistrate cannot be considered as having been in the habit of attending and acting as justice at the petty sessions court, who has not attended at least four times in each of the three years next preceding the election, if he has been so long in the commission of the peace. After the election the names of the magistrates who have voted, with their qualifications to vote, are submitted to the Lord Lieutenant, who decides as to the right of each justice to record his vote.

LORD RATHDONNEL'S TENANTS.

MR. MACALEESE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that in the matter of Section 47 of the Land Law (Ireland) Act, 1896, and of Lord Rathdonnel, landlord, Margaret M'Manus, former tenant, in the case of an application made in October, 1896, to the Land Commission to act as mediators under Section 47 of the Land Law (Ireland) Act, 1896, and where the landlord failed to lodge his objection thereto within the prescribed time, and did not in fact do so until the 5th February, 1897, the Land Commission, by an order dated the 23rd July, 1897, ordered that the landlord's notice of objection should be dealt with as served within the prescribed time; whether the Land Commission have power to make such order; and whether, if the landlord is prevented by disability from lodging his objection, it is competent for the Land Commission to receive it from another person.

MR. G. W. BALFOUR: The ruling of the Land Commission in the case in question, which has been the subject of much legal controversy, has been upheld on appeal to the House of Lords.

RESULT FEES IN IRISH SCHOOLS.

MR. GILHOOLY (Cork County, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he can state what is the amount of the deficit in the results for the year 1899 in District 58; and what effect such deficit will have on the future income of the teachers of this district.

MR. G. W. BALFOUR: I have referred this question to the Commissioners of National Education, who state that the matter is engaging their attention.

PROCEDURE OF COUNCILS ORDER.

MR. CLANCY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, in reference to the Local Government (Ireland) (No. 2) Bill, whether he will follow the precedent set in the case of the Local Government (Ireland) Bill, 1898, and lay upon the Table of the House a draft of the alteration of the Procedure of Councils Order which, in addition to those recommended by county councils, the Local Government Board for Ireland intend to make if they acquire the power.

MR. G. W. BALFOUR: The answer to this question is in the negative. The Bill merely gives permissive powers, and the Local Government Board have no cut-and-dried scheme of alteration. I may say, however, that no alteration would be likely to be proposed without giving the county councils concerned an opportunity of considering and expressing their opinion upon it.

COUNTY KERRY FISHERY PIERS.

SIR THOMAS ESMONDE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he will bring to

the notice of the Congested Districts Board the need for the construction of fishery piers at Dunkin and Ventry, county Kerry.

THE VICE-PRESIDENT OF THE DEPARTMENT OF AGRICULTURE FOR IRELAND (Mr. PLUNKETT, Dublin Co., S.): The suggestion in this question will be brought under the notice of the Congested Districts Board at its next meeting on the 13th instant.

IRISH CONGESTED DISTRICTS BOARD —REPRESENTATION OF CO. KERRY.

SIR THOMAS ESMONDE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if the Congested Districts Board will consider the advisability of adding to their number a representative of the county of Kerry.

MR. PLUNKETT: The number of members of the Congested Districts Board is fixed by statute, and there is no vacancy on the Board at present.

CAPTAIN DONELAN: Will the case of Munster be considered when a vacancy occurs?

MR. PLUNKETT: That is not a question for me.

POTATO BLIGHT.

CAPTAIN DONELAN: I beg to ask the Vice-President of the Board of Agriculture and Technical Instruction for Ireland whether he is aware that potato blight has already made its appearance in certain districts in Ireland; and whether it is proposed to take any, and is so, what steps with a view to prevent the spread of the disease should occasion arise.

MR. PLUNKETT: The heavy rains during the past month in Ireland have unfortunately been unfavourable to the potato crop, but so far I have not received any official information as to the appearance of blight. In view of the condition of the weather, the Department communicated to the public press throughout the country on the 20th June, a circular letter drawing attention to the danger of disease in the potato crop, and impressing on farmers the great necessity for taking action at once for the prevention of blight by carefully spraying their crops. Large numbers of leaflets containing directions on the subject of spraying have also been distributed, and placards on the same subject are about to be extensively posted up in conspicuous places throughout the country. The matter will continue to be carefully watched by the Department.

CAPTAIN DONELAN: Is it the intention of the Department to carry out any experiments with a view to discovering the best remedy for the potato disease?

MR. PLUNKETT: Experiments have been carried out in Ireland for the last three or four years in order to find out the best means of combating the disease.

HOUSE OF LORDS CLERKSHIPS.

MR. GIBSON BOWLES: I beg to ask the First Lord of the Treasury is he aware that the post of third or reading clerk at the Table of the House of Lords has been vacant for nearly one year; has he any reason to believe that the two clerks now at the Table find a difficulty in doing the work hitherto done by three; if there be no such difficulty, will Her Majesty's Government consider the propriety of abolishing the post of reading clerk; if, on the other hand, there be such a difficulty, will he explain why there has been so long a delay in filling up the post; and will the Vote for the House of Lords Offices be put down for a day when it can be discussed; if so, on what day.

MR. A. J. BALFOUR: I have no reason to believe that there is any great inconvenience caused by the delay in filling this post.

WELSH SUNDAY CLOSING BILL.

MR. MACLEAN: I beg to ask the First Lord of the Treasury whether he is aware that the Standing Committee on Law was unable, after waiting an hour, to form a quorum on Tuesday to discuss the Welsh Sunday Closing Bill, although a number of Members had been expressly added to the Committee for the purpose of taking this Bill into consideration; whether he has been informed that not a single representative of the Government was present on the occasion to tell the Committee whether the Bill will be proceeded with this session or not; and whether the Government will now state if it intends to pass the Bill into law this

session so as to save the time of the members of the Standing Committee on Law.

MR. ALFRED THOMAS (Glamorganshire, E.): Before the right hon. Gentleman answers the question, I wish to ask whether he is aware that there is a very strong feeling in Wales in favour of the passing of the Bill?

MR. MACLEAN: Is the right hon. Gentleman also aware that there is a very strong feeling in Wales against the passing of the Bill?

MR. A. J. BALFOUR: I have no information as to the position of the Standing Committee on Law, nor have I any official means of obtaining such information. As to the second part of the question, it would not be the business of any member of the Government at present on the Committee to announce the policy of the Government with regard to the allocation of time for the remainder of the session. I have already stated that it is impossible to give such privileges as are desired to contentious private Bills. The statements of these two Members prove that this is a controversial measure.

INDIAN BUDGET.

MR. MACLEAN: I beg to ask the First Lord of the Treasury whether he can now state when he proposes to take the Indian Budget.

MR. A. J. BALFOUR: I do not think I can add anything to what I said on Tuesday as to this matter.

BUSINESS OF THE HOUSE.

SIR H. CAMPBELL-BANNERMAN: What will the business be on Monday?

MR. A. J. BALFOUR: We must go on with the Tithes Bill until it is finished. I hope it will be finished to-night, and in that event we shall take the Agricultural Holdings Bill on Monday.

MILITARY MANŒUVRES BILL [Lords].

Ordered, That the Examiners of Petitions for Private Bills do examine the Military Manœuvres Bill [Lords], with respect to compliance with the Standing Orders relative to Private Bills.—(*Mr. Wyndham.*)

SIEGE OF LADYSMITH—DISAPPEARANCE OF STORES—SIR C. DILKE AND SIR W. STOKES—PERSONAL EXPLANATION.

*SIR C. DILKE (Gloucestershire, Forest of Dean): I wish, by leave of the House, to make a very brief personal explanation with regard to a matter which was debated in the House last week. In a London daily paper yesterday there appeared a long telegram from Sir William Stokes, consulting surgeon to Her Majesty's field force in South Africa, which was copied into several London evening papers and into a large number of provincial papers with sensational headings. In that telegram Sir William Stokes says, "Sir Charles Dilke's charge of robbing stores is absolutely devoid and destitute of foundation." That was a charge made by me in the House, and it was a charge which I believe is admitted. It rests not only on private, but on official, data, and I have on two occasions asked in this House for the production of the minutes of the court-martial which was held with regard to the robbery of stores at Intombi Camp. These minutes have not yet been given to the House. It is evident that it is to Intombi Camp that Sir William Stokes refers, because the next words are these: "Intombi Camp was no doubt unhealthy." I wish to assure the House that I did not ask the questions in reference to this matter until I had taken every possible means to assure myself of the truth of the statements which had been made to me, and that I am prepared entirely to stand by the statements I made in the debate. At the end of his letter Sir William Stokes again refers to me by name, and says that the charges made were "as unjustifiable as they were cruel and unpatriotic." I could, I think, ask the House to treat those words as a breach of privilege, but it is not my intention to do so under the circumstances of the case, as an inquiry is to take place. With regard to the charge of want of patriotism, it appears to me to be a patriotic duty to bring such matters before the House.

SOUTH AFRICAN WAR—HOSPITAL AND MEDICAL ARRANGEMENTS—MR BURDETT-COUTTS'S CHARGES—COMMITTEE OF INQUIRY.

[MOTION FOR ADJOURNMENT.]

MR. LABOUCHERE (Northampton) rose in his place, and asked leave to move the adjournment of the House for the

purpose of discussing a definite matter of urgent public importance—namely, "the composition and the scope of the reference to the Committee to be appointed to inquire into the treatment of sick and wounded British soldiers in South Africa"; but the pleasure of the House not having been signified, Mr. SPEAKER called on those Members who supported the motion to rise in their places, and not less than forty Members having accordingly risen:—

MR. LABOUCHERE: I do not want to go into what has already passed, but it will be within the recollection of the House that last week a letter from the hon. Member for Westminster appeared in *The Times* in regard to the treatment of British soldiers in South Africa, and especially with regard to their treatment in the hospital at Bloemfontein. The letter naturally attracted considerable attention, and the First Lord of the Treasury was asked whether he would find some opportunity for the House to discuss the matter. The right hon. Gentleman very fairly agreed to put down on Friday last a nominal Vote for the Medical Department of the War Office in order that a discussion might take place. The discussion then took place, and, so far as I understood it, the Under Secretary of State for War did not traverse in the main the statements made by the hon. Member for Westminster; he practically admitted that in the main they were correct, although in some cases there was, perhaps, a certain amount of misconception and exaggeration. With regard to the Cape, the hon. Member for Westminster, in his speech rather than in his letter, stated certain facts, which were met by the Under Secretary saying that the War Office had complied with every demand made upon them by the local authorities, and at the same time he stated that a very large number of telegrams had passed between the local authorities at the Cape, both medical and military, and the War Office. I asked whether he would submit those telegrams to the House, and he declined to do so. With regard to Bloemfontein, the defence was that of military necessity, that the troops were advancing, that the matter was within the discretion of Lord Roberts, and that Lord Roberts no doubt would be responsible if any person were responsible. In fact, we were jeered at; we were taunted with trying to attack the Government under the pretence of attacking Lord Roberts. That is the past history of the case. Before the debate the right hon. Gentleman agreed to appoint a Committee, and, as he stated this evening, to appoint it at the request of Lord Roberts. I would point out that it was not alone at the request of Lord Roberts that that Committee was wanted. The request was made by the hon. Member for Westminster; it was supported not only by Members on this side of the House but by a good many on the other, and certainly there was such a strong feeling throughout the country at the revelations made by the hon. Member for Westminster that there was a universal opinion that some sort of inquiry or investigation ought to be made. This evening the right hon. Gentleman has told us what the composition of the Committee is. He tells us it is to be a small Committee, that it is to consist of three persons. The first is Dr. Church, a medical gentleman; the second is Professor Cunningham, an anatomist; and the third is Lord Justice Romer. That hardly meets the requirements of Lord Roberts. Lord Roberts is afraid of there being too many doctors, and he asks that besides two or three doctors—[AN HON. MEMBER: One or two.]—he says, "Besides one or two doctors, let us have some men of common sense." Far be it from me to say that Lord Justice Romer is not a man of eminent common sense; but still he is only one, and, with all respect to Lord Justice Romer, he is an eminent legal Chancery lawyer, and he is not what I should call a man of business. ["Oh, oh!"] I draw a distinction between a lawyer and a man of business. A lawyer may be a man of business, but it is not his speciality; the lawyer's speciality is to make money over quarrels about other people's business. But, anyway, Lord Justice Romer is only one, and I think the House will understand what I mean when I say that we want men on this Committee who are practical men, who are engaged in business, who are men of sound common sense, and by whom we shall have a sound, thorough, businesslike investigation, and a Report upon the results of that investigation. I cannot understand why we are to have two doctors on this Committee. Sir William Stokes has defended the doctors; Sir William Stokes has accused my right hon. friend and others of uttering un-

truths. Members of a profession are always inclined to stand by their profession. When it a question which seriously affects the whole medical profession, and embraces so large a field as this inquiry ought to embrace, surely we ought not to have two medical men on the Commission forming a majority of the Committee. It seems to me somewhat remarkable that the Government should take upon themselves the appointment of the members of that Committee, and decide upon the reference which is to be put to them, without any consultation with the House of Commons. According to all constitutional doctrines the Ministry is absolutely responsible for what goes on, and they are directly responsible to this House. Whoever heard of gentlemen who are, to all intents and purposes, the defendants in the case, appointing their own jury? The House ought to have some sort of control in this matter. The appeal was made to the House of Commons, and we cannot shirk or avoid our responsibility. The House of Commons ought to have a voice in the matter as to what the reference is to be, and also in the composition of the Committee. The general usage is that their names should be submitted in some sort of way to the House of Commons. We know what takes place when a Committee of this House is appointed. The names are first submitted to us, and the House decides whether it accepts them or not, and it may change a name, and urge that this or that gentleman should be added if it thinks fit. If this Committee is to secure the confidence of the country, there must not be a majority of medical men upon it, and the House having been appealed to by the hon. Member for Westminster, and a discussion having taken place upon this subject, it is perfectly illusory to have such a discussion unless the House has some voice in the composition and reference of this Committee. I do not say for a moment that the Government are guilty, or that any particular person is guilty. I am aware of the great misery and suffering which is always involved in war; but there is certainly a *primâ facie* case that the sufferings might have been mitigated had there been more care shown either by the Government or by their officials, and I do not fix the responsibility upon any particular person. We have the fact before us that a most horrible state of things existed at Bloemfontein, and that even at Cape Town it had been shown that there was not a sufficient number of nurses or orderlies. It appears from what was stated that even in a simple case like the provision of bandages for the wounded they would not have been able to obtain them had it not been for the fact that there happened to be a considerable number of bandages in the hands of a private firm. I have moved the adjournment of the House in order that the right hon. Gentleman the First Lord of the Treasury may have an opportunity of doing what I think he is bound to do under the circumstances, and that is to take an early opportunity of giving the House an occasion to express its views upon the reference to and the composition of this Committee. If the right hon. Gentleman does not do that, then I hope hon. Gentlemen on this side of the House at all events, and even some hon Members on the other side, will register by their votes their protest against the course which has been adopted.

*Mr. BURDETT-COUTTS (Westminster): In seconding the motion of the hon. Member for Northampton I desire to say that I take this course without any previous arrangement with the hon. Member. I do not think that it is unreasonable, under the circumstances, for me to ask to be heard on this subject. I object, in the first place, to one name as being that of a gentleman who ought not to be on such a Committee when the responsibility of the Army Medical Department is directly attacked. I would remind the House that I have not myself attempted to localise the responsibility for what I saw in South Africa; but of course the Army Medical Department must necessarily be largely implicated in the question. The hon. Member for Northampton has called attention to the curious divergence of the composition of this Committee from the expressed wish of Lord Roberts. Lord Roberts's words were, "a small Committee, consisting of one or two medical men of recognised ability, in whom the public have full confidence, with some men of sound common sense." I ask whether a Committee which has a majority of medical men upon it is a Committee framed in accordance with the desire of Lord Roberts? I object to this Committee because it has that majority

of medical men. The difficulty of arriving at an accurate opinion with regard to what has taken place in South Africa from medical sources has, I believe, already been illustrated in the case which was the only precedent we have for such a Committee. That was at the time of the Crimea, when the letters of the present Sir William Howard Russell awoke the country to the true state of things, and a Committee of this House was appointed to inquire into the case. When those letters appeared, describing, in terms singularly like those I have myself felt compelled to publish, the inefficiency of the medical arrangements in the Crimea, the chief medical authority on the spot, Sir George Brown, was going about in this country saying that everything was absolutely perfect. There are many other analogies between this case and that. Mr. Roebuck brought the matter before the House. A Parliamentary committee was appointed and Mr. Roebuck, the chief accuser of the medical arrangements in the Crimea, was appointed chairman of that committee. The House will remember that the Aberdeen Ministry went out on that proposal, but Lord Palmerston came in, and he accepted the Committee. I know what the answer to this will be. I shall be told that at the same time a Sanitary Commission of three was appointed, two being doctors and one what was called an engineering member, to go out to the Crimea. But the object of that Commission was not to inquire into what had happened, but to at once take in hand the bettering of the arrangements on the spot. Therefore, of course, it was composed of experts. There was another serious difference between that Commission and the present one. That Commission was appointed not by the Government which defended the medical arrangements in the Crimea, but by the Government which came in on the strength of accepting the fact that those arrangements were insufficient. I desire to ask the House, which I think is always generous to an individual, to consider for a moment the curious position in which I myself am placed. I can assure the House that I would not call attention to this if I did not think that some slight consideration of it on the part of the Government would really facilitate the cause we all have at heart, and that is getting at the truth of this matter. What is my position upon this question? I made certain statements in the press. Those statements I repeated in the House and added to them other statements, which together constituted a grave indictment of the medical arrangements in South Africa. That placed me in the position of a plaintiff; but the thing has turned round, and now I am in the position of a defendant—defending the accuracy of my statements, and what I believe to be the great interests involved in proving their truth, if they are true. I know what the Government will say. The Government will say that they will call me as a witness and enable me to state my case. They may possibly say they will accept my suggestion of other witnesses who should be called. But is that enough in this case? Is it not the usual practice that a man placed in my position should have the right to watch the case on his own behalf? Has he not the right to put what questions he likes to witnesses, and to cross-examine all the witnesses? I daresay that some skilful dialectician on the front bench will find flaws in this analogy, but to me it seems to be close enough for my purpose. My facts have been questioned. Of that I make no complaint. But my motives have been bitterly attacked, not in the country, not in the press, but in a more influential, though more limited circle. I had no motive, no shadow nor shred of any motive or reason, for making these statements except my determination that they should be made public, because I knew that by that means, and that means alone, could we obtain a reform of that terrible condition of things. That is my position, and with my facts questioned and my motives attacked I put it to the House whether some claims do not arise out of that position—some claims to me with regard to this Committee. I do not ask that those claims should be considered. I do not wish to put them forward, and I am quite willing to lose sight of all personal considerations, if the Government will allow me to co-operate with them to a certain extent in enabling this Committee to get at the truth of the matter at issue. My suggestion briefly is that I should be permitted to suggest to the Government a name for them to add to the Committee. I promise to suggest the name of one whose impartiality, ability, and qualifications cannot possibly be questioned. I have waited day by day

in the hope that I might receive some communication from Her Majesty's Government on the subject. If the absence of any wish that I should co-operate with them in this matter is due to an assumption on the part of the Government that they are on one side and I am on the other—an idea which can only be based on another assumption that the medical arrangements in South Africa are perfect, or as perfect as possible—then I deplore that I, as a loyal member of the party for fifteen years, am placed in that position, but I put aside personal considerations and personal ties to my party, and I say that the logical outcome of that position, if the Government are on one side and I am on the other, is that one side is appointing the judges to try the issue. I deplore it if that position should arise. I do not believe for a moment that the Government would wish such a position to be set up. I do not believe that they would perpetrate a personal injustice, but I must say for myself that, considering the experience I have had of this particular subject, and the knowledge I have gained of all its branches, I should be in a position to facilitate the inquiries by the course I have suggested.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Labouchere.*)

SIR H. CAMPBELL-BANNERMAN (Stirling Burghs): I confess at once that I share to the full the disappointment that has been expressed by the two hon. Members who have spoken at the constitution of this Committee. But at the same time I am most anxious that we should, if possible, avoid the bringing in of anything like party recrimination or party feeling in the matter, and that we should not present to the world at large the spectacle, apparently, of the Government unwilling to give a full inquiry as alleged by their opponents, and their opponents clamouring for a fuller inquiry in the face of the Government. I do not think that that would be a seemly position for the House of Commons to take up in a matter which we all admit to be so grave, and a matter which affects so deeply the feelings and sentiments of a large part of the population of this country. The point that strikes me as most unfortunate is that which has been referred to—namely, that there is not a sufficient representation of ordinary laymen—that there is, in fact, none at all if you exclude a judge from the category of laymen. There are two eminent doctors, of whom most of us have nothing to say, for the simple reason that I am afraid the great majority of us do not know much about them; but I take it for granted from their position—one academical, the other in his profession—that they are capable and competent men, and also that they are high-minded, straightforward men, who would do their duty while in such a capacity. I make no doubt of that. Besides them there is only an eminent judge; but what is wanted, surely, of all things, is what my hon. friend spoke of as the man of business, or, rather, the business man—a man accustomed to bring his common-sense and experience of life and affairs to bear upon such problems and difficulties as no doubt have presented themselves in South Africa. There are many men of that kind who could be obtained, and whose positions and character before the country would secure the complete confidence of public opinion. Let me point out also that this is not a mere question of the technicalities of the medical profession. There is the whole question of transport and of the power of organising relief in such a case as this, upon which surely it is most desirable to get the opinion of men qualified to give that opinion. A number of names occur at once of men who, if they would undertake this patriotic duty, would, I am sure, satisfy the mind of the country and give solidity to the Commission, and secure that success for it which I am afraid it will not secure if it is constituted as proposed. I venture to appeal to the right hon. Gentleman. I have said that I have the strongest possible wish not to appear as if we were fighting with each other on a matter such as this, where the character of the country stands at stake before the world. It is also a matter which touches the hearts and feelings of many people who have relatives there, or may in the future have relatives undergoing the chances of war in South Africa or in other parts of the world. Will the right hon. Gentleman not listen to what I would put forward, even as a friendly appeal, if he will allow me to say so—namely, that two Members should be added to the Committee, and that those two should be chosen not from

any party purpose or on account of any prejudice they may be supposed to have? On the contrary, they should be men who are least likely to have prejudices, but competent men with that priceless quality, common sense, to which Lord Roberts alluded. I do not know any test, I am bound to say, except the test of their past record and their character in the eyes of the country. If two men of that character were added to this Commission, I am certain there would be a great feeling of relief throughout the country. But if that is not done, and if we are to have two doctors, however eminent, and a judge, however eminent, and nobody else, then the feeling of disappointment will be great, and I am afraid the chances of a successful result will be small.

*SIR J. FERGUSSON (Manchester, N.E.): I would wish to say a few words on this motion, and the tone of the remarks of the right hon. Gentleman opposite enables me to do so. I feel deeply concerned in this matter. In my early youth I was a witness of terrible scenes in the army before Sebastopol, owing to disease and insufficient preparation. It was reported by the Medical Commissioners that 50 per cent. of the regiments engaged in the siege had died of disease in six months. Thank God we have had nothing like that at the present time; but there is great reason to believe that the best use has not been made of the means placed at the disposal of the authorities in South Africa by Her Majesty's Government. I believe ample provision had been made, that nothing had been stinted, but I believe sufficient use was not always made of it. Letters by the last mail from South Africa, the truth of which I cannot doubt, showed some shortcomings. The state of several hospitals near Cape Town, and of hospitals in other parts of the country, showed that insufficient use had been made of the supplies, forming, in fact, a very heavy indictment against the Army Medical Department which required to be thoroughly investigated. There was, it is charged, a reluctance on the part of the medical officers to call for things necessary for the comfort and well-being of the sick, who, even within the last few weeks, had been lying in a miserable state and without proper shelter in places where there was no difficulty as regards transport. We have all heard of it; the newspapers are full of these cases. I admit that some of them may be exaggerated, but I am convinced that there is foundation for others, and that an inquiry which would command public confidence is required as to whether the best use had been made of the means provided by the Government with, I believe, lavish hands. I should like to avoid inconveniencing Her Majesty's Government in any way, but I think the inquiry should be one in which the public would have full confidence, and that men of common sense are required on it besides doctors.

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): The Government have been attacked by three gentlemen for three quite distinct offences in connection with the appointment of this Commission. The hon. Gentleman the Member for Northampton, who moved the adjournment of the House, invented an entirely new constitutional principle which, with all the zeal of a discoverer, he expatiated upon in his observations. The hon. Member thinks that the Commission ought not to be appointed by the Government, but ought to be practically appointed by the House of Commons. It is a new doctrine, and one to which I noticed, with pleasure, the right hon. Gentleman opposite did not subscribe. It is one which was never practised by the party opposite, or by the party to which I belong, and for which, I believe, there is no precedent whatever. Of course, this House has a voice in regard to all that pertains to its own Committees. The reference is submitted to the House, and can be amended; and the names are submitted, and can be objected to or approved. But that practice is without precedent or example in the case of Commissions of this kind.

MR. LABOUCHERE: There are many Commissions appointed by Act of Parliament.

MR. A. J. BALFOUR: The hon. Gentleman never suggested an Act of Parliament. An Act of Parliament must be submitted to this House and the other House, and go through all the formalities of the Legislature. A statutory Commission is on a quite different footing from ordinary Commissions, to which this belongs. Such Commissions have never

been submitted to the House of Commons in the way the hon. Gentleman suggests, and I trust that, for the convenience of Parliamentary procedure and the preservation of the responsibility of the Government, this well-recognised principle will never be departed from. That point practically exhausted the hon. Gentleman's criticism. He did indeed say that the Government are the accused parties in this matter; and that therefore they ought not to appoint the judges in their own case. But I beg to inform the hon. Gentleman that the Government are not the accused parties. When I suggested the other day that there was an attempt to drag in the Government and to make a party question of it I was met with loud cries of "No, no," and of general repudiation from gentlemen on that side of the House. I leave the hon. Member for Northampton, who moved the motion for adjournment, and turn to the speech of the hon. gentlemen who seconded it. I do not quite apprehend the object of the hon. Gentleman's speech, unless it was to suggest that he should himself be the man of sound common sense for whom Lord Roberts asks and who, according to the critics of the Commission and of the Government, is not to be found adequately represented on the Commission as it is constituted. The hon. Gentleman said that he found himself placed in a position of great difficulty. I am sorry that my hon. friend should be placed in such a position. But if he is so placed—and I do not know why he should think that he is—surely he himself is the only person who has placed him there. He tells us that he has been attacked as to his facts and his motives. I do not know who has attacked him as to his facts or as to his motives. I am perfectly certain he cannot quote a single phrase or suggestion made by anyone on this bench attacking either his facts or his motives.

*MR. BURDETT-COUTTS: I considered it an attack upon my motives to convert the statement of facts which I made into an attack upon Lord Roberts.

MR. A. J. BALFOUR: The hon. Gentleman indeed criticised somebody, and who that could be unless it is the responsible officers in the field we were unable to discover, and the hon. Gentleman has been unable to explain.

*MR. BURDETT-COUTTS: I did not criticise anybody. I criticised a state of things.

MR. A. J. BALFOUR: There is no such thing as criticising a state of things. You may describe a state of things, but you cannot criticise a state of things.

*MR. BURDETT-COUTTS: I am extremely sorry to interrupt the right hon. Gentleman again, but I must ask him, in his own words, where or when I criticised any person, and who that person was?

MR. A. J. BALFOUR: My complaint against the hon. Gentleman is exactly that his criticisms were all of this vague and obscure character. If he was merely narrating a very tragic and deplorable state of things without suggesting that blame existed anywhere, he was really wasting the time of the House of Commons. It is only because the blame must rest somewhere, and in order that that blame may be brought home to the proper quarters—it is only on that hypothesis that it was legitimate to bring forward this heartrending description at all. I am not aware that the hon. Gentleman made any secret of the fact that he thought that in the organisation of the advance to Bloemfontein and Kroonstad there had been mistakes made as to the transport arrangements for which someone was to blame. But I return to the hon. Gentleman's speech. Nobody here has attacked his facts or his motives. But if everybody whose motives are criticised or whose facts are attacked is to form part of the Commission or is to be consulted as to its constitution, it is evident that the task of the Government would be never ending; and we should have to consult not only the hon. Gentleman, but the many eminent persons with whom he has come into conflict in this controversy. It is evident that they cannot all be members of the Commission; and that if they were they would be much more occupied in fighting among themselves than in investigating the charges committed to them. But the hon. Gentleman appears to think that we have shown an almost callous disregard of his feelings. I hope that we are not open to that charge; but the fact is that I did not in this matter consider the hon. Gentleman one way or the other. In constituting the Committee I did not think

of the hon. Member at all from the beginning to the end of the business. I hope it does not show a hard and callous heart on my part, but that is the fact. The hon. Gentleman, in accordance with his sense of duty, brought forward facts—or what he believes to be facts—and laid them before the House. I confess that when the hon. Gentleman had done that, I thought he had done all that his ordinary sense of duty required him to do, and that we might put him and his proceedings out of account, and set to work to find out what foundation there was for the charges which he had made. The difficulties, the somewhat imaginary difficulties, of the hon. Gentleman under the heartless treatment which he has received in the formation of this Commission are illusory evils, and I think a little consideration will convince him that they have no real existence in fact. I leave the hon. Gentleman's personal complaints to come to the more objective criticism of the right hon. Gentleman opposite. In his speech the right hon. Gentleman seemed to take it as an axiom that, on the face of it, this was not the kind of Commission which would command the confidence of the country. On the face of things, it seems to me exactly the kind of Commission that would command the confidence of the country. No doubt it might be possible to find two additional persons who are thoroughly competent to join in this important inquiry. But my own view of a committee of investigation is that the smaller it is the quicker is its work and the more effective. That is the only reason why the Government preferred a Commission of three to a Commission of five. There may be something to be said for a Commission of five; but on the face of it, and on the obvious merits, there is an immense deal more to be said for a Commission of three. If you have a Commission of three, it is impossible to conceive a Commission which is more fitted than this one to carry out the work entrusted to it or which, on the face of it, is more impartial. What is one of the charges made against this Committee? The charge is that there are two medical men upon it. These medical men have no connection with the Army Medical Department. [An HON. MEMBER: Professional bias.] As the House very well knows, there has been a considerable conflict between the profession and the Army Medical Department, and I should have thought that if there was a danger it was the danger of injustice to the Army Medical Department, who are carrying on their duties under conditions not very familiar to doctors and surgeons at home accustomed to the perfect equipment of a London, Edinburgh, or Dublin hospital, and likely to be shocked beyond reason at the inevitable shortcomings which it is admitted on all hands must occcur when you are dealing with the exigencies of a rapid campaign. Therefore, I do not think that there is anything in the fact that these gentlemen are doctors which, considering their position, will make them in any sense lenient to the failures, if there have been failures, of the Army Medical Staff. I have not the honour of Dr. Church's or of Professor Cunningham's acquaintance. But I am informed that Dr. Church is not merely the official head at the present moment of the medical profession in this country, but that he is the President of the Royal College of Physicians, who, more than anyone in living memory, thoroughly enjoys the confidence of his colleagues, and is believed by them to be a man of peculiar fairness of mind, with a great power of organisation and business capacity. I am informed that the same qualities of common sense as well as high scientific qualities might be predicated of Professor Cunningham. There are some Gentlemen in this House, no doubt, who know him; and I have taken some trouble to make myself acquainted with his career and attainments.

*SERJEANT HEMPHILL (Tyrone, N.): He is a Professor at Trinity College. He is not in practice.

MR. A. J. BALFOUR: Exactly. The right hon. Gentleman is perfectly accurate. That of itself goes to show that Professor Cunningham is a man who is independent of those waves and currents of medical opinion which are regarded as objections to doctors. Though not a practising doctor, and not actively connected with the medical profession, Professor Cunningham has, however, taken the most brilliant degrees in medicine and surgery, and is thoroughly well equipped from a professional point of view. There remains Lord Justice Romer; and can prejudice go further—I was going to say, can party feeling go further—than this calm assumption on the part of the hon.

Gentleman opposite that because a man is an eminent professor, or an eminent physician, or a distinguished judge, he therefore cannot have those qualities of practical common sense which are supposed to be found in other more fortunate sections and branches of the human race? When Lord Roberts spoke of common sense, he did not mean to imply that doctors had not common sense; still less did he mean to say it of so brilliant and distinguished a judge of the High Court, a man of the business qualities and the impartiality and the power of collecting and sifting evidence like Lord Justice Romer, which are the qualities you want in a man who is to preside over a Commission of this kind. This Commission, as I have indicated it to the House, has the great qualities of knowledge and impartiality stamped upon it. It has among its members two of the most highly-qualified and independent members of the medical profession. It has at its head a judge of the High Court in this country; and if confidence and impartiality are not to be secured by a Commission of that kind, then I despair of any Government or any House of Commons or any responsible Minister being able ever, now or in the future, to constitute a Commission which shall command the confidence of the country. I am sorry that this deliberate attempt has been made, before its labours have begun, to asperse the impartiality of the Commission; I deeply, profoundly regret it; but I firmly believe that when the names I have mentioned go forth to the country the people will not agree with the critics of the Government on this occasion, but that they will universally feel that the Government have striven, by names unexceptionable in themselves and by the smallness of the number, of which complaint has been made, to give the best security that their labours shall not only be rapid and effective, but rapid and conclusive.

MR. ASQUITH (Fifeshire, E.): I think that the House, or at least the large majority of it, without any distinction of party, must have listened with astonishment and disappointment to the right hon. Gentleman, to the somewhat cheap sarcasms which the right hon. Gentleman thought it to be in good taste to launch against his own supporter, the hon. Member for Westminster, and the thin debating points he sought to make against the hon. Member for Northampton. All these must have struck the House as being singularly out of consonance with the feeling which animates the majority of the House. When the right hon. Gentleman, in answer to the appeal made by my right hon. friend—and a more temperate and more reasonable appeal was never made by a Leader of the Opposition—accuses us of making this a party question on this side of the House——

MR. A. J. BALFOUR: I never said so.

MR. ASQUITH: Yes; and of deliberately aspersing this Commission—I say that he is attributing to us motives which are entirely unworthy of any body of English gentlemen, and totally out of keeping with the feeling which pervades all classes of the community in relation to this most painful subject.

SIR HOWARD VINCENT (Sheffield, Central): No.

MR. ASQUITH: The hon. Member for Central Sheffield says "No," but I believe the right hon. Gentleman fails to apprehend altogether the source and the character of that disappointment. We do not dispute in the least the eminent qualifications of these gentlemen. One of them is, we know, President of the Royal College of Physicians, and if you are to have a medical man on the Commission, as you must have, I do not suppose it would be possible to have a better representative. Another gentleman is Professor of Anatomy in the University of Dublin. I have no doubt that he is a gentleman of the highest academical attainments, but whether a gentleman whose experience is confined to a chair of anatomy is most calculated to add strength to a Commission of this kind is a matter on which I must be allowed to express a doubt. And as to Lord Justice Romer, the third member of the Commission, no one who has had the great advantage, as I have had, of practising before him can dispute that he possesses all the highest judicial qualities. But when all is said, when all these admissions are made—and I make them fully and freely—the right hon. Gentleman has not met in the least degree, I

will not say the protest, but the appeal, of my right hon. friend. What is the ground of it? It is this. Here is a matter which avowedly affects the feelings and the sentiments of a vast number of people in this country, and the health and lives of our soldiers in South Africa, as well as our operations in subsequent campaigns. Grave charges, charges of the most serious character, vouched for not only by the hon. Member for Westminster, but by almost a cloud of witnesses, have been made in respect of the provision against sickness made in the course of this campaign. The Government confess that they want to have these charges investigated to the bottom, and by a body which will command universal confidence throughout the Empire. These being the conditions under which you are acting and the objects which you are professing—I believe honestly professing—to seek to attain, in order to arrive at the best means of improving these conditions and of attaining these objects you appoint a Commission the majority of whose members will be medical men. I say to treat this primarily or fundamentally as merely a medical question is entirely to ignore some of the most important considerations. It will very likely turn out—I make the hypothesis merely because I have no knowledge—that as far as doctors, nurses, and orderlies are concerned everything was done that human skill and devotion could do, given the conditions under which they had to act. It will then become a question, and this will be the fundamental question which will govern the enquiries of the Commission, whether the conditions under which they were acting were avoidable conditions, or brought about by want of foresight or neglect on the part of those responsible, and, if so, who is responsible for that state of things and how can its recurrence be obviated. It is trifling with the intelligence of the country to say that an investigation of that kind, a Commission composed mainly of professional medical men, is the best Commission that could be constituted. If the right hon. Gentleman will allow us to treat this question in a dispassionate and impartial spirit, I want, if I can—the right hon. Gentleman makes it very difficult—like my right hon friend, to come to a *modus vivendi* acceptable to us all. May I once more, notwithstanding all that the right hon. Gentleman has said, put it to him whether, in the interests of securing unanimity in this House and general confidence in the country, he should not accept the suggestion, the most temperate and moderate suggestion of my right hon. friend—not necessarily, of course, now—to add to this Commission two men of experience in business, men of reputed common sense, men whose names would command general confidence? If he will give a response to that appeal, I believe he may confidently count on ascertaining the truth, on fixing the responsibility on the right shoulders, and, more important than all, on preventing a possible recurrence of this horrible state of things.

COLONEL SAUNDERSON (Armagh, N.): I venture to occupy the time of the House for a moment or two upon this important occasion, because I should not like the Government and my right hon. friend to believe that all those who sit upon this side of the House are satisfied with the constitution of this Commission. My right hon. friend said the smaller the Commission the better, but upon those grounds he might have appointed one doctor to examine into the whole question. Allow me to point out to the right hon. Gentleman that the object which I know he has in view, and which we all have in view, is to ascertain the whole truth about this question. With regard to the statements of the hon. Member for Westminster, though I make no statement for or against his veracity, I have no doubt, and I believe also the Government have no doubt, that what he says he saw he did see, and the Government appreciate the necessity of finding out the whole truth of this allegation, and whether it affects the medical officers or the transport. But they have appointed two medical men and a judge. I venture to say that if this was a question of investigating the mode in which the sick were treated in South Africa two doctors would be eminently satisfactory, but that is not the question. We want to know whether these horrible sufferings described so vividly by my hon. friend could or could not be obviated. What are the facts? We want to find out first of all whether the allegations of my hon. friend are true, and whether the medical appliances and equipment were satisfactory at Bloemfontein and

elsewhere, and we want to find out whether the transport is to blame for not bringing up to Bloemfontein those appliances which it is said might have been brought up. Who is to examine into this? Not the doctors. They, I fancy, will probably examine into the way in which the patients were treated, and I have no doubt that these two medical gentlemen—against whose reputation nobody can say a word—will say that all that medical science and skill could do under such circumstances has been done. We believe that nobody says a word against the treatment so far as the treatment could be carried out. I do not know if other Members have had experience of these matters, but I have. I have seen a doctor called in in an intricate case, and what was the inevitable result? That that eminent person comes out from the consultation and says everything possible that could be done has been done, but that he had advised a modification of the treatment. These gentlemen will, I have no doubt, do their best, but the *esprit de corps* which exists pre-eminently amongst doctors will of necessity bias their minds. But who is to judge upon the other questions—as to whether the transport arrangements were satisfactory, and, if the allegations which the hon. Member for Westminster made in drawing attention to the problem are true, the blame undoubtedly does attach to the transport for not bringing up in time those medical comforts, etc., which were wanted at Bloemfontein and elsewhere. Is Lord Justice Romer to go into the question of transport? I do not wish to say anything with regard to his Lordship, but I should think the only thing he knew about transport was transporting prisoners. I say if this Commission is to be constituted, it must not be a Commission in which the majority are doctors. I say, without the slightest hesitation, that this Commission, if it examines the whole of these matters, will not and ought not to have that weight with public opinion which we all hope a Commission appointed by the Government should have. We want the mind of the country set at rest, and in order to do that a Commission ought to be appointed whose decision will carry weight with it. I venture to suggest to the Government that the proposition made by the hon. Members on the opposite benches, that two lay members should be added to this Commission, would enormously add to its weight, and at the same time would effect the right hon. Gentleman's desire, and not only throw more light on to the question, but would carry that light into the heart of the country.

Colonel Saunderson.

*Captain NORTON (Newington, W.): Perhaps I might be permitted to take part in this debate, because I feel very strongly upon this question. I pointed out some time ago that we should want two or three Army corps for this war in South Africa, and I also pointed out that the Army Medical Department was not sufficiently strong in point of numbers. Now that the Army medical arrangements have broken down we are to have an inquiry as to how that took place. It can only have taken place for one of two reasons: either the Medical Department was in itself defective, and they had not the *personnel* and the stores they required; or the blame must be cast upon the Transport Department, because, assuming that the *personnel* and the stores were sufficient, they did not bring them up at the proper period; yet we are to have a Commission appointed of which two members are members of the profession of the Army Medical Department, which it is suggested is to blame—that is not the class of Commission to deal with that question—and added to them we have a judge to do—what? To inquire into the question of transport! I firmly expected to see one of the most eminent of our traffic managers of the great railways of this country upon this Commission. What the country is looking at is this. They have made great sacrifices, and have made them willingly, but they have been under the impression—and it has been said that this is no party question, but I say it is most distinctly a party question—that everything that could be done had been done for the sick and wounded. If the Government declares war it is their duty to be prepared for it and the conduct of it. After the Egyptian campaign the medical arrangements were found to be very defective, and the medical men connected with the Army Medical Department were absolutely deficient in numbers to deal with the situation as it developed in South Africa. What the country wants to know is on whom does the blame rest—upon the authorities at home, who did not take steps in time, knowing as they must have

known that in South Africa there must be an enormous amount of enteric fever at the close of the campaign; or upon the medical men, who were unable to carry out their duty owing to defective transport? The country want to see the responsibility put upon the shoulders of the proper persons, and they want to know why they were led to believe when they made these great sacrifices that their sons and their relatives were, so far as the medical arrangements were concerned, receiving every attention. They want to know why there was any suppression of what has taken place, and why from the press reports they were led to believe that everything was all right and in order. I will simply conclude my observations by suggesting that two lay members who have a knowledge of transport should be added to the Commission.

SIR MARK STEWART (Kirkcudbrightshire) said he did not propose to occupy the time of the House more than a few moments. He merely desired to express a wish that the right hon. Gentleman would add two more members to the Commission. Speaking for the prevailing feeling in the south-west of Scotland, from which he had just returned, upon this question, he could say that nine people out of ten did not believe in two doctors who would invariably agree with regard to the Commission. These medical gentlemen were the best men that could be got, and he did not impute that they were in any way unfit persons. Lord Justice Romer also was an extremely able man, but if the right hon. Gentleman would appoint two additional lay members he would have the country at his back. If he went to the country with the Commission as at present constituted, although no doubt the Commission would report unanimously, the country would have no confidence in it.

MR. ARNOLD-FORSTER (Belfast, W.): I feel very strongly indeed upon this question, one aspect of which is liable to be overlooked if the Committee is constituted as suggested. I desire to support the application which has been made to the right hon. Gentleman, because we all know that there is a chance when these operations are over of a general inquiry into the whole question of the war, and if we withdraw from that inquiry as we shall by this Commission, the whole of the Medical Department, we are absolutely bound to make this part of the inquiry thorough; because it will not be held at any other time. Now, I am not able to convince myself that the Committee as constituted will be likely to thoroughly investigate the condition of the Army Medical Department, and to ascertain what has been well done and what has been ill done in the campaign. The Army Medical Department is alleged to have failed to some extent, but it is a miracle to some of us that it has succeeded to the extent it has. The hon. Member for Northampton was correct when he said that the constitution of the Army Medical Department has been condemned over and over again. I was present when the hon. Gentleman the Under Secretary for War told us that the Department had been increased tenfold since the war began.

*MR. SPEAKER: Order, order! The hon. Member is now discussing a matter outside the range of the motion.

MR. ARNOLD-FORSTER: All I wish to point out is that the efficiency of the Army Medical Department, having regard to the constitution of the Commission, is not likely to be thoroughly and satisfactorily investigated. I should like to be able to carry the inquiry a great deal further than a purely medical inquiry, so that it should ascertain not only the facts as to whether there were a certain number of medical attendants, nurses, and so forth in South Africa, but whether the provision was such as to enable them to work with efficiency, and whether their inefficiency has been referable to the conditions under which they had to work. I am quite confident that the attention of someone should be directed to this. The right hon. Gentleman asked who has been charged with the responsibility for this matter. I do not believe that the responsibility will be found to rest on the medical men or the attendants. I believe that the responsibility will be found to rest for whatever has been done amiss with those who organised the Army Medical Department on the present basis, and I want someone not deterred by professional antecedents from bringing home directly that responsibility.

MR. A. J. BALFOUR: In reply to what has fallen from my hon. friend who has just sat down, I would venture to deprecate any extension of the already large subject of inquiry which is to be committed to this body of gentlemen. When they have completed their labours and made their report to the Army Medical Department, either they or another Commission may be entrusted with the further inquiry my hon. friend desires. But let us in the first instance try to get to the bottom of this specific and limited, though all-important, subject. I would ask my hon. friend to take that as a sufficient reply, as indicating, at all events, my personal feeling on the point he has brought before the House. May I also say, what I did not like to say by way of interruption of the right hon. Gentleman, that I certainly never intended to reflect on gentlemen who sit on the Front Opposition Bench? I am not aware of anything that has fallen either from the Leader of the Opposition or those in his immediate confidence which indicates that he or they had any desire from the beginning of these transactions to turn this into a party question; and if I used any phrase of that kind that justly bore that meaning it must have been by inadvertence. I certainly neither felt it nor thought it. It is perfectly evident to me, after listening to what has passed, that the general sense of the House is in favour of an increase in the size of the Commission. I frankly say that, in my opinion, the House is wrong. I think the proposal of the Government was unquestionably a businesslike proposal and one likely to lead to the most rapid and satisfactory results. But I notice that not only those who may be said to be professionally opposed to the Government take a different view, but also the right hon. Gentleman opposite and friends on this side of the House who, I believe, are anxious that this Commission should enjoy general confidence. It is because I fear that the kind of criticism passed on both sides of the House on the Commission in its narrower aspect may in the mind of some outside the House shake their belief in it, that I think the view held by the House is one which ought to be considered by the Government, and considered very favourably. I do not think, after what has occurred, it would be possible to restrict the number to three. I ought frankly to say to the House that under the circumstances I cannot ensure that the three eminent Gentleman I have named can be regarded as having given a final assent to serving on the Commission. I know that the chairman was greatly induced to consent to go through all the toil and responsibility which presiding over such a Commission would entail upon him by the fact that he thought the smallness of the number would greatly facilitate the operations of the body. I certainly shall have to appeal to him again regarding his services and ask whether he is disposed to give them. Though I think the two eminent doctors—or, rather, the eminent doctor and the eminent man of science—who have already accepted places on the Commission know too much of the House of Commons to take quite seriously the criticisms which have been passed, still I confess that after they have read the statements in debate that the fact of their being doctors prejudices them in favour of the Army Medical Service, and that their opinion is not to be trusted on that ground, they may, perhaps, think that they are not called upon to go through all the labours that the work of this Commission will entail. I earnestly hope that will not be the case. I think myself they would be very ill-advised if they took too seriously this particular class of criticism, and I shall regard it—I say it with a full sense of responsibility — as a great public calamity if, in consequence of these somewhat reckless attacks, they should think it necessary to decline to serve. In the meanwhile, I shall do my best, though against my own judgment, to consult with my colleagues as to how we can best increase the number from three to five. I imagine that the House will entirely, at all events, agree with me in this: that the one thing to be avoided is the appointment of a politician by profession.

DR. FARQUHARSON (Aberdeenshire, W.): I think the right hon. Gentleman has rightly interpreted the feeling of the House of Commons by agreeing to the extension of the Commission. I think it is very important indeed that in connection with this very important matter, in which the people of the country take so keen an interest, the members of the Commission should be increased by a certain business element, which I am sure will be welcomed by

none more than by the eminent medical men who are to be on this Commission.

MR. LABOUCHERE: After this concession—in somewhat ungracious terms—by the right hon. Gentleman, I would ask leave to withdraw my motion.

Motion, by leave, withdrawn.

MESSAGE FROM THE LORDS.

That they have agreed to the Ancient Monuments Protection Bill, with Amendments.

ANCIENT MONUMENTS PROTECTION BILL.

Lords Amendments to be considered upon Monday next, and to be printed. [Bill 284.]

TITHE RENT-CHARGE (IRELAND) BILL.

Considered in Committee.

(In the Committee.)

[Mr. J. W. LOWTHER (Cumberland, Penrith) in the Chair.]

Clause 2:—

MR. EDMUND ROBERTSON (Dundee): In proposing to leave out Sub-section 2 of this clause, I wish to ask the right hon. Gentleman the Chief Secretary for Ireland what will be the financial effect of the section if carried out as it now stands. My reason for asking is that Sub-section 2 proposes to repeat the operation provided for by Sub-section 1. If the financial effect would be serious, that would be a reason for striking out Sub-section 2. I wish to know, also, what will be the financial effect on the Church Fund of Sub-section 1 of this clause. I think the Committee ought to be content with the first variation.

THE CHIEF SECRETARY FOR IRELAND (Mr. G. W. BALFOUR, Leeds, Central) said the hon. Gentleman would remember that the average reduction during the first term was 20·9 per cent.

MR. EDMUND ROBERTSON: The right hon. Gentleman has exactly appreciated the nature of the question I have put to him. I now understand that the effect of Sub-section 1, if applied as it stands, will be to reduce the amount of tithe by 20·9 per cent. That is a serious reduction, and we should be content with that variation for one period of fifteen years. I think that is a sufficient reason for the Amendment I now move. I do not suppose that one Member in ten in the House has read the sub-section, and if they did read it they could not exactly say what is the meaning of it. Roughly speaking, if you find this variation for one period of fifteen years reducing the tithe by 20·9 per cent. you have to repeat that operation for the second term of fifteen years. That I understand to be the meaning of the sub-section. I think when you have reduced the tithe once by 20·9 per cent. you have done sufficiently well.

Amendment proposed—

"In page 2, line 6, to leave out Sub-section 2."—(*Mr. Edmund Robertson.*)

Question proposed, "That Sub-section 2 stand part of the clause."

MR. G. W. BALFOUR: The effect of the Amendment will be to replace the standard of variation by a charge which will last for ever. What the Government propose is not extravagant, from the point of view of the reductions that will be immediately effected and of the reductions that may be effected later on.

MR. T. P. O'CONNOR (Liverpool, Scotland): I support the proposal of my hon. friend. It appears to me that this sub-section rather aggravates the injustice produced by the first sub-section. The peculiarity of this is that it proceeds in wrong-doing in geometrical progression. It begins by doing a bad thing in the first sub-section, and it is worse again in the second sub-section. I am not sure that I have entirely grasped the meaning of these two sub-sections, but my understanding is this: We have, as everybody knows, under the Land Act of 1881, a period of fifteen years during which the reduction of rent lasts. At the end of each period of fifteen years there may be, on the application of the tenants, a further hearing and a further reduction. As a matter of fact, there have been in many cases a further hearing and a considerable further increase in the reduction. As I understand this Bill, the tithe is to be reduced not merely in respect of the reduction of rent for the first statutory term of fifteen

years, but also on the second statutory term of fifteen years. Therefore, these tithes are to be subjected to periodic and successive reductions. We are not dealing here with a single and permanent reduction of tithe, but with a plan that proposes reductions of tithes with successive reductions of rent. Let me point out to the Committee the full effect of this most extraordinary proposal. The right hon. Gentleman pointed out, in reply to my hon. friend, and he quoted the figures correctly, that the average reduction of rent in the first statutory term was 20·9 per cent. It is plain to everybody, granting that there should be a reduction at all, which I do not, that this reduction of 20·9 would be adequate enough to meet even the demands which the right hon. Gentleman puts forward on behalf of the landlords. But the right hon. Gentleman does not stand at that point. In order to fully appreciate the sub-section you must go on to consider what has been done in Ireland under the second section. What is happening? We have in the first statutory term a reduction of 20·9, but, further than that, this reduction of 20·9 is not a universal reduction applicable to all parts of Ireland, or rather this 20.9 is the average of Ireland as a whole. It is not the average of Ireland according to the provinces. That is my point, and the Committee should take this into consideration. I find that in the county Antrim the average reduction is 28·7, in Armagh 29·5, and in Fermanagh it rises to 30·7. So you have this extraordinary state of things: under these two sub-sections, the greater the reductions of rent, or, in other words, the more oppressive the landlords have been, the greater the reduction of tithe. In other words, the good landlords are penalised and the bad landlords are rewarded under this Bill. If it can be proved that the landlords have charged fair rents, if it can be proved that the landlords have been good landlords, then their tithes remain high, or comparatively so; but if it can be proved that the landlords have charged high rents, and that there have been big reductions, then the bad landlords get the benefit of this by having their tithes reduced, with the extraordinary consequence which I am about to show, and I invite the attention of the House to this. I wish to point out to hon. Gentlemen representing Ulster constituencies, that rents have been more exorbitant there than in the other parts of Ireland. In what they would call a disloyal county like Cork the average reduction of rent in the first statutory period was 22·3, in a terrible county like Galway 18. and in a county like Roscommon, where a Unionist would not have the smallest chance of the position of bailiff, 16.8. In so-called disloyal Roscommon the tithe is to be reduced 16·8, and in loyal, Unionist, industrious, and God-fearing Antrim, Armagh, and Fermanagh it will be reduced on an average 28·7, 29·5, and 30·7, so that under this Bill, supported by the hon. Members opposite, some of them representing tenant farmers as well as landlords, and sent into this House to advocate the claims of tenant farmers, these loyal counties will be fined doubly. They are supporting a Bill which, as I have shown, penalises these counties, because, after all, the counties are interested in this matter. A reduction of tithe to a landlord is an injury to the counties, because it means a reduction of the Irish Church Fund, which is to be used for one part of Ireland as well as another. They are supporting a Bill which has for its effect to reduce the tithes of the landlords to a larger extent in the counties they represent than in other counties. In fact, this Bill may be properly and accurately described as a bonus on rack-renting by a reduction of tithe. Furthermore, my hon. friend has pointed out this is a treble reduction of tithe—the reduction, in the case of those who have commuted the tithe, by the obliteration of seven instalments; the reduction, in the case of the first statutory term, of 20·9 per cent. on the average all over the country; and the reduction on the second statutory term where there have been larger reductions made in some cases than on the first term. Let me give the Committee a few figures on the second statutory reductions to show the effect of this Bill under this particular sub-section. I go again to the county represented by the hon. and learned Gentleman opposite—the Member for North Antrim. The average reduction in the second statutory term in the county Antrim—in the year ending March 31st, 1899—was 31·2, in Armagh 30·1, and in Down, the very ark of the covenant of loyalty in Ireland, the heroic and loyal landlords had their rents reduced 31·3 per cent. I do not see the right hon. and gallant Gentleman the Member for

North Armagh, but if he were here I would congratulate him on the splendid political strategy by which he has been able to convince his consituents in the north of Ireland that they are gaining enormous benefits by a Union which makes their rents 31·3 per cent. higher than the Commissioners in the courts of the land think they should fairly pay. I think it is one of the most marvellous appeals made to prejudice when they lose sight of their own personal interest. Therefore, under this Bill, and this sub-section in particular, Armagh will be penalised more than any other county. In Antrim, Armagh, and Down rents have been more exorbitant, and the landlords more exacting and less honest than in any of the counties in the other provinces of Ireland. What is the average reduction in Ulster as a whole? It is 28 per cent. on the second statutory term, and the 26 or 28 per cent. on the first statutory term is in addition. The result is that in the province of Ulster, where rents in the two statutory terms have been reduced 50 per cent. or a little more, the landlords by this precious Bill, and by the assistance of hon. Gentlemen opposite representing those constituencies, are going to get 50 per cent. reductions of their tithes.

MR. G. W. BALFOUR said it could not yet be ascertained what the average reduction of rents for the second statutory term would be.

MR. T. P. O'CONNOR: As I told the right hon. Gentleman yesterday, his extraordinary ingenuity, subtlety, and resource in advancing arguments have commanded my admiration, but the argument he has just advanced is too grotesque even to put before hon. Gentlemen who are helping their friends to get booty out of public taxation. The right hon. Gentleman says that nobody can tell what the rents for the second statutory terms will be. But we can forecast the result; we have the facts and figures before us of what is taking place now; we have the general condition of Ireland; we have the reductions set forth on almost every farm in Ireland. In the face of this enormous pile of evidence, enabling us to forecast with almost mathematical accuracy what will take place, the right hon. Gentleman tells us we have no facts to go upon.

MR. G. W. BALFOUR: It is impossible to say until the end of the fifteen years what the average reduction will be. Any individual case may be altogether wrong.

MR. T. P. O'CONNOR: There may be a variation of perhaps 1 per cent. But putting the first and second statutory terms together, the average reduction in Antrim is 50·9 per cent.; in Armagh, 59·6 per cent.; in county Down, 59·5 per cent.; so that in those three loyalist counties you have an average reduction of nearly 60 per cent. In other words, the loyalist Unionist landlords have been charging 60 per cent. above fair and proper rents. The average in all Ulster of the two reductions is 54 per cent. But in Connaught, for instance, the reduction comes to only about 40 per cent. We can now see why the right hon. Gentleman puts in the second statutory term. He knows that in Ulster there have been big reductions under the second statutory term, and not satisfied with giving the landlords the benefit of the reduction on the first term of 28 per cent., he piles on another 28 per cent., and gives the convicted plunderers another bonus for rack-renting their tenants. The more you test this ridiculous and absurd Bill the more its extravagance and injustice are apparent. The landlords of Roscommon, who have treated their tenants well, have had their rents reduced only 14 per cent., and what is their reward? The reward of the landlord of Roscommon is, because he is a good landlord, that he gets his tithe reduced by 14 per cent., but the landlord of the North, because he has been an unjust, rack-renting, and oppressive landlord, gets his tithe reduced by 60 per cent. The whole effect of this Bill is to reward the wicked and to punish the good; and by what possible means the right hon. Gentleman can reconcile such a measure to his political conscience I for one am perfectly unable to understand.

MR. ARCHDALE (Fermanagh, N.): The hon. Member for the Scotland Division has helped the Chief Secretary in his argument against the Amendment, because the counties he has named as having received large reductions are agricultural counties, and naturally they are more reduced than the grass counties of Roscommon and others. Down, Armagh,

and Antrim are the three most agricultural counties in Ulster, and have therefore suffered most by the fall in prices, and that is the reason this clause has been brought into the Bill and why the people who own the land there should get more reduction than in other counties, where the price of produce has not been so much reduced. It is not owing to their being worse landlords, as it is a matter of common notoriety that the landlords of Down and Antrim are rather good landlords.

MR. FLYNN (Cork, N.) said that whether the system of farming was grass, tillage, or mixed, it had been proved to demonstration that the rents were so high that they had been reduced enormously. The point with regard to this sub-section was that apparently there was to be no finality in this system of the reduction of the tithe. Under the first sub-section the average worked out at about 20·9, and it must be assumed that in the second statutory term there would be a further reduction. No doubt the amount of the reduction could not be estimated exactly, but from the decisions already arrived at a fairly accurate approximate conclusion could be formed, and it was evident there would be considerable reductions all over Ireland. Assuming that for the second statutory term there was a further reduction of 20 per cent., that would make at the end of the thirty years 40 per cent. If, owing to economic conditions and the continued fall in judicial rents in consequence of the fall in prices of agricultural produce, the landlord was to continue to get his tithe reduced, it came to this—that tithe was no longer a tithe on land, but a tithe on rent. That was an economic fallacy that everyone could perceive. If economic rent disappeared in Ireland the revenue of the Irish Church Fund would disappear with it, because the landlord would pay no tithe even though he had a large amount of the land in his own possession. The more the sub-section was examined the more its unfairness appeared. If the landlord was to get this booty, let it be fixed at the 20 per cent. or 25 per cent. on the first statutory term, although even then the opponents of the Bill would not acknowledge its justice; but let it not be said there was to be no finality. If, owing to the continued fall in prices, with perhaps a simultaneous rise in the price of labour, there are further reductions in rent, and consequently in tithe under the operation of this Bill, the corpus of the Church Fund will also gradually disappear. The Nationalists would not have offered such determined and strenuous opposition to this Bill if the money had been coming from Imperial funds instead of from the Irish Church Fund——

*THE CHAIRMAN: Order, order! That does not seem to me to be relevant to the Amendment before the Committee.

Mr. FLYNN contended that the first sub-section set up an injustice in that it measured the reduction of tithe by the average reduction of rent in the various counties for the first statutory term, but that bad condition of things would be made still worse by the second sub-section. A good case had been made out for striking out the sub-section, and he hoped the Government would not be obstinate over the matter.

MR. DILLON (Mayo, E.) said the hon. Gentleman opposite had professed to give a reason why the reductions of rent in the north of Ireland were so much greater than in the south, and that reason was one of the most singular he had ever heard. The fact that the northern counties were agricultural, and for that reason had received larger reductions of rent, did not in the slightest degree affect the injustice of those rents. Those reductions of rent were an indictment against the northern landlords, and the point taken by the hon. Member for the Scotland Division with regard to Sub-sections 1 and 2 was absolutely unanswerable. The Bill actually proposed to give throughout Ireland the greatest reduction of tithe in those counties where the landlords had been the greatest rack-renters. An attempt was being made to force through the House by the closure, by sneers, but really without any argument at all, a Bill which for complexity and entanglement was one of the most formidable he had ever known, the object being to get the Committee to commit itself to a raid on a public fund, but the object was wrapped up in such a mass of technicalities and disguises that he doubted whether one of the 400 Members who had voted in the divisions had the

faintest idea of the A B C of the whole question. The hon. Member for the Scotland Division had just pointed out that under the extraordinary and unheard of system or standard of variation set up by these sub-sections the Province of Ulster would obtain an enormous advantage, amounting to nearly 100 per cent. in some cases, as compared with the southern provinces. That immediately recalled to his mind the fact that Ulster was always tithed a great deal lower than the other provinces of Ireland, and now this ingenious system had been devised by which an enormously larger reduction of tithe would be given to the province which had always been tithed lower than any other province in Ireland. That that was the fact with regard to Ulster was shown by the Report of the Tithes Commission. The right hon. Gentleman had repeated that if the system of variation of tithes at present in force in England was extended to Ireland it would inevitably result in a larger reduction than would be the case under this Bill. That really was not true. That argument might have had some weight in regard to Sub-section 1, which dealt only with the reduction for the first statutory term, but under Sub-section 2 a much longer step was taken, and that contention entirely disappeared. The grand discovery had been made that the tithe must vary with the rent; but what would be said if that theory were applied to England?

*THE CHAIRMAN: Order, order! The Committee have already decided that point, and we cannot go back on that decision.

MR. DILLON submitted, with all respect, that the Committee had done nothing of the kind. The Committee had not yet decided that the tithe was to be varied at all. In fact, the Chairman himself had ruled that the question of varying would have to be discussed on Clause 3.

*THE CHAIRMAN: What I intended to say was that the Committee decided yesterday that the standard of variation should be rent and not prices.

MR. DILLON said the Committee were now discussing a sub-section which proposed to set up as a standard of variation an extension of that system, and if they were entitled to discuss the clause at all they were entitled to discuss it from the point of view of extending the variation in direct relation to the fluctuation of rents. All that was decided by the first sub-section was that there should be a reduction of 20·9 per cent. according to that standard, but the Committee had not in any way, impliedly or directly, decided yet whether tithes should vary or even the standard. Sub-section 2 provided that they were not to stop at a reduction the amount of which was known, but they were to take a further step and plunge into the unknown. The right hon. Gentleman asked what would happen if the English system were applied to Ireland. He would reply in the Irish fashion by asking another question: What would happen in England if the Irish system were extended to England? What would be the feeling in the Church of England if a Bill were introduced providing that on large estates in this country where no rent was paid or recoverable, no tithe should be paid? There would be a very considerable row, and that row would be increased if it was further provided that tithe rent-charge should be treated, practically speaking, *pari passu* with rent, and that no tithe rent-churge should be payable unless the rent was paid out of the land. Under this sub-section was introduced the principle of a possible illimitable variation of tithe in direct proportion to the variation of rent, and such a principle was, in the first place, against the whole tradition of tithe rent-charge and tithe settlement in Ireland, and in the second place grotesquely unjust in its working. The landlords claimed that they would be better off if they had a variation according to prices——

*THE CHAIRMAN: Order, order! The Committee have decided that question; we cannot go back on that.

MR. DILLON explained that he was endeavouring to reply to an argument the right hon. Gentleman had used in the course of the debate. He would, however, reserve his remarks upon that point, and content himself now with expressing his strong opposition to this sub-section.

MR. POWER (Waterford, E.) believed the Committee were discussing

one of the most complicated measures ever introduced into Parliament, and Members had much reason to complain that more accurate data and figures were not presented to them in order that they might be able more fully to grasp the effects of the measure. At present the Bill had to be discussed upon mere conjecture, and that was not at all a satisfactory state of things. With regard to the particular Amendment under discussion, he objected altogether to the proposed standard of variation. Tithe was not a charge on rent; it was one of the first charges on land, and it ought to be regarded as such. The right hon. Gentleman, replying to certain remarks from the Irish benches, had said that the arguments came to nothing, because this was not a question between landlord and tenant. Strictly speaking, that might be so, but at the same time it was a question with regard to a fund, essentially an Irish fund, created for Irish purposes—a fund which has already been raided more than once by the landlords, but which ought to be administered for the benefit of Ireland as a whole. The tenants were, therefore, directly concerned. Time after time it had been stated that this fund could not bear any further charge——

*THE CHAIRMAN: Order, order! The hon. Member is not now addressing himself to the Amendment before the Committee.

MR. POWER said he was really not competent to speak upon this complicated measure, and he would simply say that the Committee had reason to complain that more information had not been supplied.

MR. MURNAGHAN (Tyrone, Mid) thought it was very unfortunate that the carrying out of this measure should be left in the hands of the Land Commission. It really meant that the decision of the question would be left in the hands of an interested authority. The Land Commission would have the power to raise or reduce rents, and rents were to be the basis for the payment of tithe. There was a fearful danger that the rents of the tenantry of Ireland would be raised simply to enable the trustees of the Irish Church Fund to keep that fund intact. The Land Commission were the trustees of the fund, and it was their business to keep the fund intact; therefore when this question came up for decision would they not be naturally inclined to be the guardians of the fund rather than to reduce the rents, by which the revenue of the fund would be also reduced? This proposal struck a blow at judicial integrity, and was fraught with the greatest danger. The Bill simply carried out under another name the recommendations of the Fry Commission. The right hon. Gentleman might pursue a policy of silence; it was all very well to draft a Bill which was a riddle and a puzzle; but the Irish Members were determined to drag the proposals into the light of day and to let it be seen what they really meant. This was a landlords' Bill from beginning to end——

*THE CHAIRMAN: Order, order! The hon. Member is now discussing the whole effect of the Bill.

MR. MURNAGHAN said he was trying to discuss the sub-section. It was most unfortunate that the right hon. Gentleman should leave to a tribunal the decision of a case in which that tribunal was interested. The Land Commission ought not to be hampered with any such duties, and, if for no other reason than the one he had put forward, the Committee ought to reject this sub-section.

Question put.

The Committee divided:—Ayes, 142; Noes, 75. (Division List No. 178.)

AYES.

Archdale, Edward Mervyn	Boulnois, Edmund	Charrington, Spencer
Atkinson, Rt. Hon. John	Bousfield, William Robert	Coghill, Douglas Harry
Balfour, Rt. Hon. A. J. (Manch'r	Bowles, T. Gibson (King's Lynn)	Cohen, Benjamin Louis
Balfour, Rt Hn Gerald W. (Leeds	Bullard, Sir Henry	Collings, Rt. Hon. Jesse
Barry, Rt. Hon. A. H. S. (Hunts	Campbell, J. H. M. (Dublin)	Cooke, C. W. Radcliffe (Heref'd)
Beach, Rt. Hn. Sir M. H. (Bristol	Carson, Rt. Hon. Sir Edw. H.	Cornwallis, Fiennes Stanley W.
Beckett, Ernest William	Cavendish, V. C. W. (Derbys.)	Cross, Herb. Shepherd (Bolton
Bemrose, Sir Henry Howe	Cecil, Evelyn (Hertford, East)	Curzon, Viscount
Bethell, Commander	Cecil, Lord Hugh (Greenwich)	Dalkeith, Earl of
Blakiston-Houston, John	Chamberlain, Rt Hn J (Birm.)	Dalrymple, Sir Charles
Boscawen, Arthur Griffith-	Chamberlain, J Austen (Worc'r	Davies, Sir Hor. D. (Chatham

Douglas, Rt. Hon. A. Akers-
Doxford, Sir Wm. Theodore
Dyke, Rt. Hn. Sir Wm. Hart
Faber, George Denison
Fardell, Sir T. George
Fellowes, Hn. Ailwyn Edward
Field, Admiral (Eastbourne)
Finlay, Sir Robert Bannatyne
Fisher, William Hayes
Flannery, Sir Fortescue
Forster, Henry William
Galloway, William Johnson
Garfit, William
Gibbons, J. Lloyd
Godson, Sir Augustus F.
Goldsworthy, Major-General
Gordon, Hon. John Edward
Gorst, Rt. Hn. Sir John Eldon
Goschen, Rt. Hn. G. J. (St. Geo's)
Goulding, Edward Alfred
Gray, Ernest (West Ham)
Green, Walford D. (Wedn'sb'ry
Hamilton, Rt. Hon. Lord G.
Hanbury, Rt. Hn. Robert W.
Hatch, Ernest Frederick G.
Heath, James
Helder, Augustus
Hoare, Sir Samuel (Norwich)
Houston, R. P.
Hozier, Hon. J. Henry Cecil
Hudson, George Bickersteth
Hutton, John (Yorks, N.R.)
Jeffreys, Arthur Frederick
Johnston, William (Belfast)
Kennaway, Rt. Hon. Sir J. H.
Kenyon-Slaney, Col. William
Keswick, William
Knowles, Lees
Lafone, Alfred
Lawson, John Grant (Yorks.)
Loder, Gerald Walter Erskine
Long, Rt Hn Walter (Liverpool)
Lonsdale, John Brownlee
Lopes, Henry Yarde Buller
Loyd, Archie Kirkman
Lucas-Shadwell, William
Lyttelton, Hon Alfred
Macartney, W. G. Ellison
Macdona, John Cumming
MacIver, David (Liverpool)
M'Iver, Sir Lewis (Edinb'rgh, W
M'Killop, James
Malcolm, Ian
Melville, Beresford Valentine
Middlemore, John Thr'gmorton
Milward, Colonel Victor
Monk, Charles James
Moore, William (Antrim, N.)
Morton, A. H. A. (Deptford)
Muntz, Philip A.
Murray, Rt. Hon. A. G. (Bute)
Murray, Charles J. (Coventry)
Newdigate, Francis Alexander
Nicol, Donald Ninian
O'Neill, Hon. Robert Torrens
Parkes, Ebenezer
Peel, Hn Wm. Robert Wellesley
Percy, Earl
Phillpotts, Captain Arthur
Pierpoint, Robert
Pilkington, R. (Lancs. Newton)
Platt-Higgins, Frederick
Plunkett, Rt. Hon. Horace C.
Purvis, Robert
Renshaw, Charles Bine
Rentoul, James Alexander
Richards, Henry Charles
Ridley, Rt. Hon. Sir Matt. W.
Ritchie, Rt. Hon. C. Thomson
Russell, T. W. (Tyrone)
Saunderson, Rt. Hn. Col. Edw. J
Sidebotham, J. W. (Cheshire)
Sidebottom, William (Derbysh.
Skewes-Cox, Thomas
Smith, Abel H. (Christchurch)
Smith, James P. (Lanarks.)
Stanley, Sir H. M. (Lambeth)
Stewart, Sir Mark J. M'Taggart
Stock, James Henry
Strauss, Arthur
Strutt, Hon. Charles Hedley
Thorburn, Sir Walter
Thornton, Percy M.
Tomlinson, W. M. Murray
Tritton, Charles Ernest
Warde, Lieut.-Col. C. E. (Kent)
Warr, Augustus Frederick
Williams, Colonel R. (Dorset)
Williams, Joseph Powell-(Birm.
Willoughby de Eresby, Lord
Willox, Sir John Archibald
Wilson, John (Falkirk)
Wodehouse, Rt. Hn. E. R (Bath)
Wolff, Gustav Wilhelm
Wortley, Rt. Hon C. B. Stuart-
Wylie, Alexander
Wyndham, George
Yerburgh, Robert Armstrong
Young, Commander (Berks, E.)

TELLERS FOR THE AYES—Sir William Walrond and Mr Anstruther.

NOES.

Abraham, Wm. (Cork, N.E.)
Allan, William (Gateshead)
Ambrose, Robert
Austin, M. (Limerick, W.)
Bayley, Thomas (Derbyshire)
Billson, Alfred
Blake, Edward
Bolton, Thomas Dolling
Brigg, John
Broadhurst, Henry
Burns, John
Buxton, Sydney Charles
Caldwell, James
Channing, Francis Allston
Clancy, John Joseph
Colville, John
Crilly, Daniel
Curran, Thomas (Sligo, S.)
Daly, James
Dillon, John
Donelan, Captain A.
Doogan, P. C.
Farquharson, Dr. Robert
Fenwick, Charles
Flavin, Michael Joseph
Gladstone, Rt. Hon. Herbert J.
Harwood, George
Hayne, Rt. Hon. Charles Seale-
Hedderwick, Thomas C. H.
Hogan, James Francis
Horniman, Frederick John
Hutton, Alfred E. (Morley)
Jameson, Major J Eustace
Jones, William (Carnarvonsh.
Kinloch, Sir John Geo. Smyth
Labouchere, Henry
Macaleese, Daniel
MacDonnell, Dr MA. (Queen'sC
MacNeill, John Gordon Swift
M'Crae, George
M'Dermott, Patrick
M'Ghee, Richard
M'Hugh, Patrick A. (Leitrim)
Molloy, Bernard Charles
Morton, E. J. C. (Devonport)
Murnaghan, George
O'Brien, James F. X. (Cork)
O'Connor, Jas. (Wicklow, W.)
O'Connor, T. P. (Liverpool)
O'Dowd, John
O'Kelly, James
Oldroyd, Mark
O'Malley, William
Pease, Joseph A. (Northumb.)
Pickard, Benjamin
Pickersgill, Edward Hare
Power, Patrick Joseph
Priestley, Briggs
Robertson, Edmund (Dundee)
Samuel, J. (Stockton-on-Tees)
Sinclair, Capt. Jno (Forfarshire
Sullivan, Donal (Westmeath)
Sullivan, T. D. (Donegal, W.)
Tanner, Charles Kearns
Thomas, Alfred (Glamorgan, E.
Thomas, David Alfr'd (Merthyr
Trevelyan, Charles Philips
Weir, James Galloway
Whittaker, Thomas Palmer
Williams, John Carvell (Notts
Wilson, Frederick W. (Norfolk
Wilson, John (Durham, Mid.)
Wilson, Jos. H. (Middlesbrough
Young, Samuel (Cavan, East)
Yoxall, James Henry

TELLERS FOR THE NOES—Mr. Patrick O'Brien and Mr. Flynn.

MR. CLANCY (Dublin County, N.) desired to move the Amendment standing in the name of the hon. Member for North Louth. In Ireland they had had some experience in this matter in connection with the certificates in regard to rates issued by the Local Government Board. In many instances those certificates were absolutely incorrect, and would have inflicted great injustice in a number of cases

if the power of varying them had not been conferred by the Local Government Act. If the Local Government Board was liable to make such errors the Land Commission was still more liable. The record of the Land Commission proved that it was a body—whether because it had too much to do, or had not enough men to do it, or from any other cause, he did not know—which could not be relied upon in every instance to issue absolutely accurate certificates. The Amendment simply enabled them if they discovered a mistake to rectify the error, and he could not see how the Government could object to the Amendment.

Amendment proposed—

"In page 2, line 24, at the end, to add the words, '(7) The Land Commission may at any time amend or vary any certificate made under this section, and the certificate when so amended or varied shall have effect accordingly.'"—(*Mr. Clancy.*)

Question proposed, "That those words be there added."

MR. G. W. BALFOUR said that this Amendment was put down by the hon. Member for North Louth in connection with an Amendment to an earlier section. That Amendment had been rejected by the Committee, and therefore the present proposal was not required. Moreover, under the proposal of the Government it was perfectly competent for the Land Commission to correct any clerical errors that might be made.

MR. CLANCY did not think the Amendment as originally put down was intended to depend upon the adoption of a former Amendment. At any rate, it applied equally to the section as it now stood, and he should press it, if necessary, to a division. The Land Commission had committed blunders in the past, and he was not willing to trust them in the future. As regarded their power to alter certificates without statutory enactment, he would like to ask the Attorney General whether under the Local Government Act power was not expressly given to the Local Government Board to make variations.

MR. DILLON: We are told that the whole basis of this Bill is a mistake by Mr. Gladstone, which the House of Commons did not discover for nearly thirty years. Is it unnatural to imagine that even such a body as the Land Commission might make mistakes when they are drafting these extraordinary documents? I was once fairly good at arithmetic, although I have forgotten it now, but if I set about carrying out the instructions in this clause I should not know how to begin, although I daresay I would be able to hold my own in arithmetic with some of the Land Commissioners. It is not only a question of arithmetic, but also of the interpretation of words. Here is what the Land Commissioners are called upon to do. They—

"shall ascertain from the appendices to their Reports, as presented to Parliament in pursuance of Section 55 of the Land Law (Ireland) Act, 1881, by what amount in each county during the period commencing with and including the year covered by the Annual Report dated the 20th day of September, 1886, and ending with that presented last before the passing of this Act, the rents of holdings in respect of which judicial rents have been fixed for a first statutory term, whether by order or by agreement, have, for the entire of such period, been varied by the fixing of such judicial rents, and shall certify the average percentage which such variation represents."

I have read this over about ten times, and if I had the Reports before me I should find great difficulty in knowing how to commence, and I doubt whether many hon. Members would be absolutely clear as to how they should set about it. What is an "average percentage"? Is the percentage of variation in each individual case to be taken, and the average then struck, or is the total of the old rents to be deducted from the total of the judicial rents? The matter is of such importance that the words should be perfectly clear. I should like to hear some skilful gentleman like the hon. Member from North Antrim explain how he would set about working it out. Would he take the percentage of each reduction and then strike an average, or deduct the total of the old rents from the total of the new, and find out the percentage of reduction in that way? I cannot see why this Amendment should be objected to. It is absolutely harmless, and would be very useful. Then it is stated—

"A copy of every certificate of the Land Commission under this section shall be published in the *Dublin Gazette.*"

Supposing you do not put in this Amendment, the original printed document will be the evidence, and if any other docu-

ment is put in the whole calculation will be upset. I do not believe that another document could be printed without this Amendment, and speaking under correction, I believe also that if the Commissioners make a mistake they will not be able to rectify it.

THE ATTORNEY GENERAL FOR IRELAND (Mr. ATKINSON, Londonderry, N.): The Commissioners will take the judicial rents over an entire county, and compare them with the previous rents, and then arrive at the average reduction. If £100 rent is reduced to £80 all over the county, then of course the reduction will be 20 per cent. The hon. Member who moved this Amendment asked if there would be any difficulty in amending an order, provided it was found that a mistake had been made. When power is given to a Court to make an order, you not only give power to the Court to pronounce the right order upon the facts before it at the time, but also power to make a different order if it turns out that the facts were different. If, for instance, the Court finds that the total is wrong, or something of that kind, it will be quite competent for the Court to change a certificate based on that total so as to bring it into conformity with the facts. Suppose the reduction all over a county turned out to be 25 per cent., and supposing by a clerical error it was put down at 20 per cent., the Court would have power to amend their original order accordingly. That is all that is required and all that is desired. It is not intended that the Court should again enter on an investigation beyond verifying the mere figures. It is merely a matter of arithmetic, and power is given by this clause to amend orders in such cases.

MR. WILLIAM MOORE (Antrim, N.) said he quite agreed with the Attorney General that if the Land Commission were directed to make an order they would also have the power of revision.

MR. CLANCY said that in the Local Government Act the Local Government Board were expressly given power to correct certificates if they issued them.

MR. ATKINSON: That was in cases of very elaborate calculations, where hundreds of things had to be taken into account. They were cases altogether different from the cases connected with the present Bill.

MR. DILLON: Although the Attorney General has an exalted opinion of the Land Commissioners, still they are not infallible in these matters. I may be excessively stupid, but after all that has been said I still maintain and believe that there is great uncertainty in the wording of the clause. What the Attorney General has described as the average percentage of reduction is not the true average at all. The proper way to arrive at the average would be to take the percentage of reduction in each case and then strike the average between these percentages. That would work out very differently from the mode suggested by the Attorney General. Suppose, for instance, the Land Commission had to deal with one rent of £1,000 and three rents of £10 each; suppose the latter were reduced 50 per cent., and the £1,000 rent was only reduced by 5 per cent., you can easily see that the two methods—the method advocated by the Attorney General and the method I suggest—would produce utterly different results. There might be a difference of even 10 per cent. or 15 per cent. It is by no means a matter of totals, as the Attorney General has indicated, and where it was a question of 300 or 400 rents it would be a very complex matter indeed.

MR. CLANCY: The Amendment cannot possibly do any harm, and I should like to know why it is not accepted.

MR. G. W. BALFOUR: It is not correct, as the hon. Member said, that we are adopting a wrong principle in arriving at the average percentage of reduction. The Amendment had been put down by the hon. Member for North Louth in connection with the Amendments which have been rejected by the Committee, and it is therefore not now required. In the actual circumstance of the case, having regard to the nature of the calculations to be made, it is absolutely unnecessary.

MR. FLYNN: I cannot understand what objection there can be to accepting this Amendment. The Attorney General says that the Land Commission will arrive at the average reduction by taking the sum total of the judicial rents and

comparing them with the sum total of the old rents, and then striking an average percentage. But these percentages have never yet been used in an Act of Parliament. They have been merely used for statistical purposes, and that, of course, makes all the difference. If a mistake is made there is practically no power of appeal, because what is everybody's business is nobody's business. A mistake may occur, and may not be discovered for two or three years, and then the responsibility is thrown on an individual of going into the Courts to show that a mistake has been committed. Moreover, it would then be too late, because the production of a copy of the *Dublin Gazette* containing the certificate would be regarded as proof of its accuracy, and it would be too late for revision. The Amendment says that the Land Commission may at any time amend or vary any certificate made under this section, and that the certificate when so amended or varied shall have effect accordingly. If this Amendment is not accepted, once the copy of the certificate appears in the *Dublin Gazette* I contend that it is binding for the full period of fifteen years, and even the Land Commissioners themselves will have no power to revise it. I cannot see why the Government should not accept the Amendment.

MR. DOOGAN (Tyrone, E.) said that the words of the clause were very misleading, and therefore he hoped that the Government would accept the Amendment.

Question put.

The Committee divided:—Ayes, 67; Noes, 122. (Division List No. 179.)

AYES.

Abraham, Wm. (Cork, N.E.)
Allan, William (Gateshead)
Austin, M. (Limerick, W.)
Bayley, Thomas (Derbyshire)
Billson, Alfred
Blake, Edward
Brigg, John
Broadhurst, Henry
Burns, John
Buxton, Sydney Charles
Caldwell, James
Channing, Francis Allston
Colville, John
Crilly, Daniel
Curran, Thomas (Sligo, S.)
Daly, James
Dillon, John
Donelan, Captain A.
Doogan, P. C.
Douglas, Charles M. (Lanark)
Farquharson, Dr. Robert
Fenwick, Charles
Flavin, Michael Joseph
Flynn, James Christopher
Harwood, George
Hedderwick, Thomas C. H.
Hogan, James Francis
Horniman, Frederick John
Hutton, Alfred E. (Morley)
Jameson, Major J. Eustace
Jones, William (Carnarvonsh.
Kinloch, Sir John Geo. Smyth
Macaleese, Daniel
MacDonnell, Dr. M. (Queen's C.
MacNeill, John Gordon Swift
M'Crae, George
M'Dermott, Patrick
M'Ghee, Richard
M'Hugh, Patrick A. (Leitrim
Molloy, Bernard Charles
Morton, E. D. C. (Devonport)
Murnaghan, George
O'Connor, Arthur (Donegal)
O'Connor, James (Wicklow, W
O'Dowd, John
O'Kelly, James
Oldroyd, Mark
O'Malley, William
Pickard, Benjamin
Pickersgill, Edward Hare
Power, Patrick Joseph
Samuel, J. (Stockton-on-Tees)
Saunderson, Rt. Hon. Col. E. J.
Sinclair, Capt. J. (Forfarshire)
Sullivan, Donal (Westmeath)
Sullivan, T. D. (Donegal, W.)
Tanner, Charles Kearns
Thomas, A. (Glamorgan, E.)
Thomas, David A. (Merthyr)
Trevelyan, Charles Philips
Weir, James Galloway
Williams, John Carvell (Notts)
Wilson, Frederick W. (Norfolk
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough
Young, Samuel (Cavan, East)
Yoxall, James Henry

TELLERS FOR THE AYES—MR. Clancy and Mr. Patrick O'Brien.

NOES.

Archdale, Edward Mervyn
Ashmead-Bartlett, Sir Ellis
Atkinson, Rt. Hon. John
Balfour, Rt. Hon. A. J. (Manch'r
Balfour Rt Hn Gerald W. (Leeds
Barry, Rt Hn A. H. Smith-(Hunt
Beckett, Ernest William
Bethell, Commander
Blakiston-Houston, John
Boscawen, Arthur Griffith-
Boulnois, Edmund
Bousfield, William Robert
Brodrick, Rt. Hon. St. John
Campbell, J. H. M. (Dublin)
Carson, Rt. Hon. Sir Edw. H.
Cavendish, V. C. W. (D'rbyshire
Cecil, Lord Hugh (Greenwich)
Chamberlain, Rt. Hn. J. (Birm.)
Chamberlain, J. Austen (Worc'r
Charrington, Spencer
Clare, Octavius Leigh
Coghill, Douglas Harry
Cohen, Benjamin Louis
Collings, Rt. Hon. Jesse
Cooke, C. W. Radcliffe (Heref'd)
Cornwallis, Fiennes Stanley W.
Cross, Herb. Shepherd (Bolton)
Curzon, Viscount
Davies, Sir H. D. (Chatham)
Douglas, Rt. Hon. A. Akers-
Doxford, Sir William Theodore
Faber, George Denison
Fardell, Sir T. George
Fellowes, Hon. Ailwyn Edw.
Field, Admiral (Eastbourne)
Finlay, Sir Robert Bannatyne
Fisher, William Hayes
Flannery, Sir Fortescue
Forster, Henry William
Garfit, William
Gibbons, J. Lloyd
Godson, Sir A. Frederick
Goldsworthy, Major-General
Gordon, Hon. John Edward
Gorst, Rt. Hon. Sir J. Eldon
Goschen Rt Hon G J (St George's
Goulding, Edward Alfred
Green, Walford D. (Wednesb'ry
Hamilton, Rt. Hn. Lord George
Hanbury, Rt. Hon. Robert W.
Hatch, Ernest Frederick Geo.

Mr. Flynn.

Heath, James
Helder, Augustus
Hoare, Sir Samuel (Norwich)
Houston, R. P.
Hozier, Hon. James Henry C.
Hudson, George Bickersteth
Hutton, John (Yorks, N.R.)
Jeffreys, Arthur Frederick
Johnston, William (Belfast)
Kenyon-Slaney, Col. William
Knowles, Lees
Lafone, Alfred
Lawson, John Grant (Yorks.)
Loder, Gerald W. Erskine
Long, Rt. Hon. W. (Liverpool
Lonsdale, John Brownlee
Lopes, Henry Yarde Buller
Loyd, Archie Kirkman
Lucas-Shadwell, William
Macartney, W. G. Ellison
Macdona, John Cumming
MacIver, David (Liverpool)
Maclure, Sir John William
M'Iver, Sir L. (Edinburgh, W.
M'Killop, James
Malcolm, Ian
Melville, Beresford Valentine
Middlemore, J. Throgmorton
Milward, Colonel Victor
Moore, William (Antrim, N.)
More, R. Jasper (Shropshire)
Morton, A. H. A. (Deptford)
Muntz, Philip A.
Murray, Rt. Hon. A. G. (Bute)
Newdigate, Francis Alex.
Nicol, Donald Ninian
O'Neill, Hon. Robert Torrens
Peel, Hon. W. Robt. Wellesley
Percy, Earl
Phillpotts, Captain Arthur
Pierpoint, Robert
Pilkington, R. (Lancs. Newton)
Platt-Higgins, Frederick
Plunkett, Rt. Hn. Hor. Curzon
Purvis, Robert
Renshaw, Charles Bine
Richards, Henry Charles
Russell, T. W. (Tyrone)
Sidebotham, J. W. (Cheshire)
Sidebottom, W. (Derbyshire)
Skewes-Cox, Thomas
Smith, Abel H. (Christchurch)
Smith, Jas. Parker (Lanarks.)
Stewart, Sir M. J. M'Taggart
Stock, James Henry
Strauss, Arthur
Strutt, Hon. Charles Hedley
Thorburn, Sir Walter
Thornton, Percy M.
Tritton, Charles Ernest
Tuke, Sir John Batty
Vincent, Sir Edgar (Exeter)
Welby, Sir C. G. E. (Notts.)
Williams, Colonel R. (Dorset)
Williams, J. Powell- (Birm.)
Willox, Sir John Archibald
Wilson, John (Falkirk)
Wodehouse, Rt. Hn. E. R (Bath)
Wolff, Gustav Wilhelm
Wylie, Alexander
Young, Commander (Berks, E.)

TELLERS FOR THE NOES—Sir William Walrond and Mr. Anstruther.

Attention called to the fact that forty Members were not present (Dr. TANNER, Cork Co., Mid). House counted, and forty Members being found present,

MR. MURNAGHAN: In moving the rejection of this clause I do so on the ground that no sufficient reason has been given, and no arguments of a character sufficiently convincing to business men have been brought before the Committee, to upset the settlement arrived at in 1872. The clause asks the Committee to break away from the arrangement of 1872, when there was fixed a tithe rent-charge, the variable method of which the tithe payers of the country freely and willingly entered into. There was no protest on their part, they freely assented to it, and there is no justification for their coming to this House now and asking us to change that arrangement, for no better reason than that the change may bring gain to themselves. In 1872 the tithe-paying class—the landlord class—entered into an arrangement with the State for the compounding of the tithes, and at that time a very good offer was made by the Government, which was freely accepted. Now because of the fall in the prices of produce these people came to this House and asks it to undo an arrangement which has lasted for twenty years. If the Government had accepted the Amendment proposed by the hon. Member for Dublin it might have gone a little way to modify the vicious character of this clause. The hon. Member proposed that instead of basing the rentals on the years since 1886 the arrangement should be to go back fifteen years previously; and it seems to be a reasonable proposal, because that would take the time back to the date when this contract was entered into with the State, but the Government did not see its way to accept that suggestion. I take a different view of this matter to some of those around me. I look on this as a very dangerous proposal, and I think it will act disastrously so far as the tenant farmers of Ireland are concerned. I think if the Government had accepted the proposal to fix the tithe rent-charge on the judicial rent it would have been much more satisfactory, because it would have removed from the landlord the temptation to raise the rent, which would have been very important. The right hon. Member for North Londonderry smiles, but I think when the Land Commission comes to look into the matter he will be somewhat surprised.

MR. ATKINSON: Does the hon. Gentleman know that the Land Commission has no interest whatever in the tithe rent-charge?

MR. MURNAGHAN: They are the trustees of the Irish Church Fund, and it is to their interest not to have the fund attacked. I maintain that this Bill has been drafted in such a way as to make it a perfect enigma to the lay mind. The right hon. Gentleman has given himself up to the study of how to draft it so as to mystify us. No ordinary man can understand the meaning of these clauses, because they are drawn with a

special view to his mystification. I maintain that if the Government had taken the price of produce as the standard it would have been a far safer arrangement for the tenant farmer. The effect of this Bill will be to raise the rent. That is the whole motive underlying the clause, and it is only right and proper that the people of Derry should know what their representative is doing. And I shall be very much mistaken if Serjeant Donelan has not something to say about this matter in twelve months time. I say the principle underlying the Bill is to increase the rental of the Irish farmer, and viewing the matter in that light I have endeavoured here to keep back this measure as far as it has been possible for me to do, of course in a constitutional and proper manner. I think it is my bounden duty to do so. I think I see in this Bill the elements of danger to the tenant farmers in Ireland, and because I believe I see that, I shall strongly oppose the proposals of this clause. If the Amendment moved by the hon. Member for Dublin on behalf of the hon. Member for North Louth had been accepted, it would have modified the clause to some extent; it would not have made it perfect, because it would be impossible to make it a good clause by any change whatsoever, but to an extent it would have modified its vicious character. Another proposal which I think was deserving of more consideration from the Committee than it received was that of the Member for East Mayo. The proposal as it read looked like a puzzle, but the meaning of the Amendment in plain Saxon language was that, in coming to a calculation as to the reduction of rents, the reduction given in consequence of the improvements of the tenants should not be taken into consideration, and I will tell the Committee why——

*THE CHAIRMAN: Order, order! I do not think the hon. Member is in order in going through the Amendments which have been rejected by the Committee.

MR. MURNAGHAN: This is part of the clause that I am dealing with, and when I introduced this subject I said I wanted to show why the clause should be rejected. I want to show where the principle is wrong, and that it is unjust to reduce the tithe rent-charge upon a reduction of rental; that it should be based on the tenant's interest in his farm. That is to say, where the rent has been reduced from £100 to £60, and it has been reduced by £30 on account of improvements and £10 in consequence of the fall in prices of agricultural produce, in arriving at the calculation of the amount of tithe rent-charge the £30 reduction on account of improvements should not be considered. That is what I wish the Committee to understand. The House is at present empty, and it does not matter much what I say, but I should like the country to understand that what this clause proposes to do—instead of basing the calculation for the payment of tithes on the landlord's interest in the land—is to base the calculation upon both the landlord's and tenant's interest in it, thereby putting a premium on rack-renting, and giving to the men who rack-rented the people in the past an advantage over the men who charged a fair and reasonable rent. The proposal is one which has no justice in it. On the clause as a whole I believe that the right hon. Gentleman might alter it in such a way as to remedy what I consider is a very serious defect, and that is that the tithe-payer benefits by the exorbitant rents of days gone by. That proposal cannot be defended. It is a financial fraud, which the Committee should not sanction. I suppose it is too late now to ask the right hon. Gentleman to reconsider the position. He has made up his mind that when he brings to the Committee, or the House, a proposal, we must take that proposal as it is. We must take all or none, because the right hon. Gentleman believes that he is so excellent a legislator that he can do no wrong. He is not responsible to the people against whom that wrong is committed; at present he is Chief Secretary for Ireland, but in two years from now he may have no connection with Ireland, and the period during which he held the office of Chief Secretary will only appear to him in the light of a nightmare or a disagreeable dream. I believe this clause will injure my constituents, and, earnestly believing that, I ask the Committee to reject it.

MR. FLYNN said he quite agreed with the hon. Member for Tyrone, Mid. The right hon. Gentleman the Chief Secretary had declined to alter the clause by a single syllable, and, against the wishes of the representatives of the majority of the Irish people, had forced upon the Committee a Bill they did not desire. With regard to the clause itself the opinion of Ireland was well known. The

Bill was a bad and unjust one, and this particular clause was one of the worst features of it. Irish Members during the course of the discussion had endeavoured to persuade the right hon. Gentleman that if there was to be a change in the tithe rent-charge, that change should be based on prices and not upon rents. The right hon. Gentleman has said it would be very difficult to alter the present basis. But he recalled the attention of the Committee to the fact that the rents themselves had been altered in consequence of the fall in prices of agricultural produce. In 1887, when it became necessary to reduce rents, judicial rents were based on prices. Why then should it be impossible to adopt the same system in the variation of the tithe rent-charge? His own opinion was that the Government, either at the inspiration or the instigation of the landlords, had refused to take prices as a basis for the simple reason that judicial rents were greater, and therefore they selected that basis which would bring the greatest benefit. On comparing county with county and poor law union with poor law union it would be found that wherever rack-renting had been most prevalent the largest share of this reduction would go to the landlords, and that where the landlords had reduced their rents, in some cases to the extent of 50 per cent., voluntarily, they got the smallest share of the reduction. Irish Members had endeavoured to impress on the right hon. Gentleman that the differentiation of the reductions ought to be taken into consideration, that the reductions of rent due to the fall of prices should be charged, but not reductions which were due to improvements made by the tenants; but no change, alteration, or reform was made in the clause. All suggestions from the Irish representatives were refused. Why should 1886 be selected as the basis? Were not reductions made in earlier years? In 1883 and 1884 the reduction of judicial rents was much smaller than it was subsequently. It was not recognised at that time that the depression in agriculture was likely to be permanent, but when that conviction became impressed upon the Land Commission it was found necessary to make very much larger reductions. From 1886 onwards the reductions were larger all over Ireland. That meant that the Government, in selecting 1886 instead of an earlier year, gave the largest possible measure of reduction in the tithe rent-charges. That was obvious to the plainest and meanest intelligence. Why should the Land Commissioners have this work thrown upon them? Was their work not sufficiently heavy? He did not wish to defend the Land Commissioners, or to be too careful regarding the work thrown upon them. They were pretty well paid, and they had a pretty large staff. The Committee should not overlook the consideration that the Land Commissioners were the trustees of the Church Fund. He did not suppose, of course, that in fixing judicial rents and in working up statistics they would do anything willingly of an improper character; but, on the other hand, it must be obvious to the Committee that they were placing this body in a very anomalous position. They were the trustees of the Church Fund, and necessarily their interest was that the Fund should be kept intact, or that the drain upon it should be as small as possible. If the reduction of judicial rents was fixed at a high figure then the Fund would be drawn upon to a larger extent. If the judicial rents were raised, then, of course, the tithe was raised, and there was no reduction of the Church Fund. He thought the Land Commission was the worst body that could possibly be entrusted with the duty of compiling the statistics. Bad as the Bill was, Clause 2 was one of the worst features of it. It contained almost every vicious principle a clause could contain. First of all the tenant's improvements were not recognised in the judicial rent, and on the tenant's improvements it was proposed to give the tithe-rent payers a reduction. If they did give these tithe-rent payers this reduction—he could never see where the demand came from—at any rate, the principle should be applied in the most equitable manner. Why should they include the tenant's improvements in giving the reduction? It appeared to him that the right hon. Gentleman the Chief Secretary thought it a portion of his duty to come to the House and throw a complicated Irish Bill on the Table, and say to the Irish Members, "There is no use talking or telling us what the public opinion of Ireland is. There it is; you must accept it, no matter how much the Irish people may protest." It must be passed over their heads by means of his mechanical majority and by having recourse to those gagging measures which were so fre-

quently denounced by the Tory party ten or twelve years ago.

MR. DALY (Monaghan, S.) regretted that the Chief Secretary had not seen his way to accept some of the Amendments which had been moved. He believed that, instead of being an injury, they would have been a great benefit to the Bill. The landlords thought they were making an excellent bargain by accepting the arrangement introduced by Mr. Gladstone at the time of the passing of the Church Act, but it appeared that prices had fallen since then, and of course the right hon. Gentleman had brought in this Bill to give them relief. When the tenant farmers of Ireland wanted assistance, the right hon. Gentleman replied that it required legislation, but he was not very slow to bring in legislation to enable the Irish landlords to scoop in a million of Irish money. That was not to be wondered at considering that they had a landlord in the War Office, a landlord as manager of the General Post Office, while the representative of the very largest landlord in Ireland—namely, Trinity College—held the office of Solicitor General for England. He did not wonder at all that this Bill had been introduced, and that this clause, which was going to work such a great injustice against the people of Ireland, was insisted on. The Chief Secretary for Ireland seemed to think that the Land Commission could not make a mistake. A most remarkable thing had come to his knowledge. The chief of the Irish Land Commission, Mr. Justice Bewley, had stated that the rents fixed for the first term were altogether too high. Those rents affected 200,000 tenants, and the Commission, in attempting to remedy the injustice done to them, fixed the amounts too high. Was it not possible that the Commission might also make mistakes in the future? He, for one, could have no confidence whatever in the Irish Land Commission, and particularly when he looked at the Commission from this standpoint. There had been a Tory Government in office now for five years; another Tory Government would appoint no one else but supporters of, and sympathisers with, the landlords. If that was so, how could the tenants expect to get justice from a tribunal largely composed of landlords? The Land Commission would be manned by supporters of the landlords, and it was only natural to expect that the Irish Church Fund would not be able to supply all the demand that would be made upon it with regard to tithes in future. This Bill was based on the assumption that if there was even a greater reduction in prices in the next fifteen years a larger slice would be given to the landlords. He could not for the life of him see that the Land Commission was a proper tribunal to be entrusted with this work in future. He thought the right hon. Gentleman would be well advised if he dropped this clause altogether. Looking to the admitted fact that the Land Commission had made mistakes, it would be a very wrong thing for the House to leave such a measure as this in the hands of that Commission in future.

MR. DOOGAN supported the hon. Member for South Monaghan in asking that the clause be dropped. If the clause were based on a standard that would allow a proportionate share of the spoil to be carried off, by each landlord, it would not be such a bad principle. There was no connection at all between tithe rent-charge and the reduction of rents in Ireland. Suppose that it was proposed to deal with tithe rents in England on the basis of the reductions of rent which had taken place from economic causes, the matter would receive very scant discussion in that House. He had just been speaking to an English landlord, who told him that he had reduced his rents 25 per cent. If all the tithe-rent payers had their charges brought down to a quarter, he did not know how such a revolutionary proposal would be received in that House. The proposal in the Bill amounted to a premium upon rack-renting. The more the landlords rack-rented their tenants, and the higher they had raised their rents in the past, the greater the amount they would get under this clause from the Irish Church Fund. That fund was applied by statute to the relief of distress, and for educational and other purposes in Ireland. It had not at any time been drawn upon in order to subsidise a class as it was now. That drain would at least amount to one million, and very possibly it would much exceed that sum. The money would do a great deal of good if applied in grants to lunatic asylums, and for other purposes that the ratepayers were crying

out about. He was surprised to find from the statistics quoted by the hon. Member for the Scotland Division that in Ulster the reductions in rents during the first and second statutory terms amounted to something like 60 per cent. The hon. Member showed how much the other provinces had fallen below that immense reduction. The hon. Member for North Fermanagh tried to explain those large reductions by stating that Ulster was the most agricultural province in Ireland, and that the grass lands were much less reduced tillage farms. The hon. Member for East Mayo, however, had stated that when the tithe was paid on the basis of corn—the prices of wheat and other grain, which formed the proper basis—a smaller proportion was obtained in Ulster per acre than in any of the other provinces. Therefore the explanation about its being more agricultural than the other provinces could not stand. He thought he could explain the reason, and enough importance had not been attached to it during the debate. The Land Acts legalised the Ulster custom, which gave to tenant farmers in that province the right to their own improvements. This entitled the tenants to go into court and claim reductions in respect of buildings, fences, drainage works, and everything else done upon the farm, either by themselves or their predecessors, and also in respect of the state of cultivation. The land system in Ulster was different and peculiar as compared with that in the other provinces. The landlords of Ulster were bound by their charters and titles to let the land at low prices to the tenants. The landlords increased the low rents to an enormous figure, and when the Ulster system was recognised by law the tenants got the benefit of all their improvements. In the other provinces the Ulster custom did not prevail, and all the improvements had to be specified on the back of the claim. If the lawyer acting for a tenant overlooked any items of the case, the tenant lost his claim for such improvements as were omitted. Besides, under the Land Acts the claim for tenants other than Ulster could not extend back beyond a certain number of years. Hence a larger reduction would be made to the landlords of Ulster because of their confiscation of the improvements which the hard-working tenants had made on the land. This Bill thus sets a premium on wrong-doing. The worst rack-renting and evicting landlords who did injustice to their tenants, and who actually carried off such large spoils before, were now to be allowed an additional sum as the result of the cruel wrongs which they did to their tenants in the past—wrongs which necessitated the compulsory reductions on which they now base their claim for redress. The Ulster landlords would derive more benefit than good landlords, who charged their tenants moderate live-and-thrive rents. When the Chief Secretary wanted to give his friends and supporters a dole, he should have cast around for a standard by which some fairness in the distribution of the spoil would be got. This money did not come out of the Imperial Treasury, but out of an Irish Fund. Therefore, it should be used to further develop technical education and other beneficent purposes in Ireland. He had great pleasure in supporting his colleague on that side of the House who had advocated the rejection of this clause.

MR. POWER said that if there were to be variations they ought to be those suggested by the Amendment rather than those which the Bill proposed to set up. He was sorry to say that none of the suggestions put forward by his hon. friend the Member for North Dublin and the hon. Member for North Louth had been accepted, and the clause now stood before them in all its nakedness and with all the objections with which it was originally printed. He objected to this clause because he thought that, even from a Conservative point of view, it contained a very dangerous principle, which violated in the most glaring manner some of the essential rights of property. It was extremely unjust to Ireland that this Church Fund should be attacked, and he could see no justification whatever for this clause. He thought the hon. Member for the Scotland Division of Liverpool had proved beyond yea or nay that this proposal would work most unjustly, and that the landlords who had been considerate towards their tenants would derive little or no benefit from it, while in those districts where rack-renting had been the order of the day, the landlords would largely benefit. For that reason he did not think the clause should receive the approval of the House. He knew that there was not very much hope of them being able to beat the Government, but they had the satisfaction of knowing that

the vast majority of Irish opinion and Irish Members were opposed to this principle. Perhaps because the vast majority of the Irish representatives were opposed to it was the very reason why this House would approve of it. The very fact that the majority of the Irish Members were in favour of any proposition was enough to secure a majority against it in this House.

MR. DILLON said that this was one of the most important clauses in the Bill, for it proposed to introduce a totally new principle entirely unknown to the Statute-book of this country, and that was that the tithe rent-charge should be varied in proportion to the rent obtained from an occupier. It was preposterous for the Chief Secretary for Ireland to reply that there was a principle of variability involved. Supposing they admitted, for the sake of argument, that there was a principle of variability in tithes originally. That variability never was founded upon the variability of rent, and that was what made him so angry when the Government sought to rush this measure through the House in the dark as it were. They were introducing a proposal which was absolutely unheard of before in their history. The system of variability introduced was never heard of in the whole civilised world until the present time. He had a few facts which he wished to lay before the House in reference to the new standard which had been set up. Before the Acts of 1820 and 1830 the tithe was one-tenth of the produce of the land, or it should have been. The whole subject was enormously complicated, but in the year 1820, under the Goulborne Acts, a small modicum of the tithe was put back upon the grazing land. At that time tithe had no relation whatever to rent. When the great settlement had been carried through under the Goulborne Acts, and when the composition was being carried out throughout Ireland before 1838, they would find upon examining the question more closely that the evidence given before the Tithe Commission of 1831 showed that tithe had no relation to rent. Even in the old days tithes had no relation to rent and never had, and to make tithes variable according to the rent was a most extraordinary principle, without any precedent whatever. The Government had made up their mind to break up the settlement of 1872, which was a solemn statutory settlement, for some reasons of political expediency. To break up that settlement and to vary the tithes they had to adopt a new principle, and they contended that the most convenient principle was the scale which they had set up. That scale might be convenient, but it was singularly unjust and unreasonable. He would mention a simple case as an illustration of the futility and the unreasonableness of the scale proposed in this clause. A relative of his possessed some property which was liable to tithes. As well as he could recollect, that property used to pay in tithes £12 or £12 10s. a year. It was divided into two equal portions—one was in the hands of his relative, and the other was let to another landlord under a head-rent of £25 a year. The whole of the property was liable to tithe. How would the clause work in this case? Half the property was let to a middleman. If the rents to the occupiers were reduced, under this plan of dealing with the tithes the rent of the middleman was raised, while the head-rent landlord would get his tithes reduced, and he would get the whole benefit from the reduction of the rent of the tenant. Simply because some other man's rent was reduced, they would get the benefit by a reduction of the tithes. This was something like the custom adopted by the ancient French kings, who used to have some other unfortunate boy brought up and punished when their own sons did anything wrong. The Bill itself was very curiously drafted, and he desired to point out that when they had passed this clause they had not decided the question of the variability of any tithe rent-charge in Ireland. That would remain an open question. Furthermore, the measure attempted to deal with two subjects which were utterly foreign to each other. It also professed to set up a standard for the variation of ecclesiastical tithes, which had been invariable in Ireland since 1872. He thought that was a great blot on the Bill. He only alluded to this point for the purpose of showing that when this clause was passed they had not decided anything as regarded the variability of the tithes, and that the whole question could be reopened on the next clause.

Question put.

The Committee divided:—Ayes, 158; Noes, 82. (Division List No. 180.)

AYES.

Allsopp, Hon. George
Archdale, Edward Mervyn
Ashmead-Bartlett, Sir Ellis
Atkinson, Rt. Hon. John
Balcarres, Lord
Balfour, Rt. Hn. A. J. (Manch'r
Balfour, Rt Hn Gerald W (Leeds
Banbury, Frederick George
Barry, Rt Hn A. H Smith-(H'nts
Beach, Rt. Hn Sir M. H. (Bristol)
Beckett, Ernest William
Bethell, Commander
Blakiston-Houston, John
Blundell, Colonel Henry
Boscawen, Arthur Griffith-
Brodrick, Rt. Hon. St. John
Butcher, John George
Campbell, J. H. M. (Dublin)
Carson, Rt. Hn. Sir Edw. H.
Cavendish, V. C. W (Derbyshre
Cecil, Evelyn (Hertford, East)
Cecil, Lord Hugh (Greenwich)
Chamberlain, Rt. Hn. J. (Birm.)
Chamberlain, J. Austen (Worc'r
Charrington, Spencer
Clare, Octavius Leigh
Coghill, Douglas Harry
Cohen, Benjamin Louis
Collings, Rt. Hon. Jesse
Cornwallis, Fiennes Stanley W.
Cox, Irwin, Edw. Bainbridge
Cross, H. Shepherd (Bolton)
Curzon, Viscount
Dalkeith, Earl of
Davies, Sir H. D. (Chatham)
Dickinson, Robert Edmond
Digby, John K. D. Wingfield-
Disraeli, Coningsby Ralph
Dorington, Sir John Edward
Douglas, Rt. Hon. A. Akers-
Dyke, Rt. Hon. Sir Wm. Hart
Egerton, Hon. A. de Tatton
Faber, George Denison
Fellowes, Hn. Ailwyn Edward
Field, Admiral (Eastbourne)
Finlay, Sir Robert Bannatyne
Fisher, William Hayes
Flannery, Sir Fortescue
Fletcher, Sir Henry
Flower, Ernest
Forster, Henry William
Foster, Sir M. (Lond. Univ.)
Garfit, William
Gibbons, J. Lloyd
Giles, Charles Tyrrell
Godson, Sir Augustus Fredrk.
Gordon, Hon. John Edward
Gorst, Rt. Hon. Sir John Eldon
Goschen, Rt. Hn G. J. (St G'rge's
Goulding, Edward Alfred
Greene, Henry D. (Shrewsbury
Gull, Sir Cameron
Hamilton, Rt. Hn. Lord George
Hanbury, Rt Hon. Robert Wm.
Hanson, Sir Reginald
Heath, James
Helder, Augustus
Henderson, Alexander
Hermon-Hodge, Rbt. Trotter
Hoare, Sir Samuel (Norwich)
Houston, R. P.
Hozier, Hon J. H. Cecil
Hudson, George Bickersteth
Hutton, John Yorks. (N. R.)
Jackson, Rt. Hon. Wm. Lawies
Jeffreys, Arthur Frederick
Johnston, William (Belfast)
Kenyon-Slaney, Col. William
Keswick, William
Knowles, Lees
Lafone, Alfred
Lawrence, Wm. F. (Liverpool)
Lawson, John Grant (Yorks.)
Llewelyn, Sir Dillwyn-(Swans.
Loder, Gerald Walter Erskine
Long, Rt. Hn. Walter (Liverp'l)
Lonsdale, John Brownlee
Lloyd, Archie Kirkman
Lucas-Shadwell, William
Macartney, W. G. Ellison
Macdona, John Cumming
MacIver, David (Liverpool)
Maclure, Sir John William
M'Calmont, Col. J. (Antrim, E.
M'Iver, Sir L. (Edinburgh, W.)
M'Killop, James
Melville, Beresford Valentine
Middlemore, J. Throgmorton
Moore, William (Antrim, N.)
More, R. J. (Shropshire)
Morgan, Hn. F. (Monmouths.
Morrell, George Herbert
Morton, A. H. A. (Deptford)
Muntz, Philip A.
Murray, Rt. Hn. A. G. (Bute)
Murray, Chas. J. (Coventry)
Newdigate, Francis Alexander
Nicholson, William Graham
Nicol, Donald Ninian
O'Neill, Hon. Robert Torrens
Peel, Hon. W. Robt. Wellesley
Phillpotts, Captain Arthur
Pierpoint, Robert
Pilkington, R. (Lancs. Newton)
Platt-Higgins, Frederick
Plunkett, Rt Hn Horace Curzon
Pollock, Harry Frederick
Purvis, Robert
Remnant, James Farquharson
Renshaw, Charles Bine
Rentoul, James Alexander
Richards, Henry Charles
Ritchie, Rt. Hn. Chas. Thomson
Robinson, Brooke
Rothschild, Hn. Lionel Walter
Russell, T. W. (Tyrone)
Sandon, Viscount
Saunderson, Rt Hon. Col. E. J.
Seely, Charles Hilton
Sidebotham, J. W. (Cheshire)
Sidebottom, William (Derbsh.)
Skewes-Cox, Thomas
Smith, Abel H. (Christchurch)
Smith, James Parker (Lanarks)
Stanley, Edward Jas. (Somers't
Stewart, Sir M. J. M'Taggart
Stock, James Henry
Strauss, Arthur
Strutt, Hon. Charles Hedley
Thorburn, Sir Walter
Thornton, Percy M.
Tollemache, Henry James
Tomlinson, W. E. Murray
Tritton, Charles Ernest
Tuke, Sir John Batty
Warde, Lieut.-Col. C. E. (Kent)
Welby, Sir C. G. E. (Notts.)
Wentworth, Bruce C. Vernon-
Williams, Colonel R. (Dorset)
Williams, J. Powell- (Birm.)
Willox, Sir John Archibald
Wilson, John (Falkirk)
Wodehouse, Rt. Hn. E. R. (Bath)
Wolff, Gustav Wilhelm
Wylie, Alexander
Wyndham, George
Yerburgh, Robert Armstrong
Young, Commander (Berks, E.)

TELLERS FOR THE AYES—
Sir William Walrond and
Mr. Anstruther.

NOES.

Abraham, Wm. (Cork, N.E.)
Ashton, Thomas Gair
Asquith, Rt. Hon. Herbert H.
Austin, M. (Limerick, W.)
Bayley, Thomas (Derbyshire)
Beaumont, Wentworth C. B.
Billson, Alfred
Blake, Edward
Bolton, Thomas Dolling
Brigg, John
Broadhurst, Henry
Burns, John
Caldwell, James
Campbell-Bannerman, Sir H.
Carvill, Patrick Geo. Hamilton
Channing, Francis Allston
Clancy, John Joseph
Colville, John
Daly, James
Davies, M. Vaughan-(Cardigan
Dillon, John
Doogan, P. C.
Douglas, Charles M. (Lanark)
Emmott, Alfred
Evershed, Sydney
Farquharson, Dr. Robert
Fitzmaurice, Lord Edmond
Flavin, Michael Joseph
Flynn, James Christopher
Gladstone, Rt. Hn. Herbert J.
Hedderwick, Thomas C. H.
Hogan, James Francis
Horniman, Frederick John
Hutton, Alfred E. (Morley)
Jameson, Major J. Eustace
Kinloch, Sir John G. Smyth
Lawson, Sir W. (Cumb'land)
Macaleese, Daniel
MacDonnell, Dr. M. A. (Qn'sCo.
MacNeill, John Gordon Swift
M'Crae, George
M'Dermott, Patrick
M'Ghee, Richard
M'Hugh, Patrick A. (Leitrim)
Molloy, Bernard Charles
Morton, Edw. J. C. (Devonport)
Murnaghan, George
Nussey, Thomas Willans
O'Brien, James F. X. (Cork)
O'Connor, Jas. (Wicklow, W.)
O'Dowd, John

O'Kelly, James
Oldroyd, Mark
O'Malley, William
Philipps, John Wynford
Pickard, Benjamin
Pickersgill, Edward Hare
Power, Patrick Joseph
Provand, Andrew Dryburgh
Reckitt, Harold James
Rickett, J. Compton
Roberts, John H. (Denbighs.
Robertson, Edmund (Dundee
Robson, William Snowdon
Runciman, Walter
Samuel, J. (Stockton-on-Tees)
Sinclair, Capt. J. (Forfarshire)
Sullivan, Donal (Westmeath)
Sullivan, T. D. (Donegal, W.)
Tanner, Charles Kearns
Tennant, Harold John
Thomas, A. (Glamorgan, E.)
Thomas, David A. (Merthyr)
Trevelyan, Charles Philips
Weir, James Galloway
Whittaker, Thomas Palmer
Williams, John Carvell (Notts.
Wilson, Fredk. W. (Norfolk)
Wilson, John (Durham, Mid)
Wilson, John (Govan)
Young, Samuel (Cavan, East)
Yoxall, James Henry

TELLERS FOR THE NOES—Captain Donelan and Mr. Patrick O'Brien.

Clause 3 :—

MR. CLANCY said the object of the Amendment he rose to move, was to continue the existing law which provided that an application must be made to a court of competent jurisdiction, and on the application of any person entitled he must prove certain things. If he is an owner of tithe rent-charge he must prove his title. If he is a payer of tithe rent-charge he must prove that he is a person charged within the meaning of certain Acts of Parliament. There was the question of giving notice. Notice must have been regarded at one time as being of very great importance. The notices had to be served at a certain period of the year, and oftentimes mistakes were made by not selecting the proper time for serving those notices. They had to be posted on parish churches, and the requirements as to the posting of notices was a very detailed affair. The notice had to be posted on the parish church, on the outer door, and not only that, but on the principal outer door of the parish church. Sometimes there was not an outer door, a principal outer door, or any outer door at all, and sometimes there was not even a church. In a few cases it was thought advisable to erect a door in order to escape the consequences of insufficient posting. That might be a reason for substituting this automatic process, but those who took that view were not thinking of the tithe-payers. He wished to submit to the House the view of the tithe-owners. They consisted of two classes whose interests were diametrically opposite, and it must be borne in mind that the tithe-owners in one respect occupied a position analogous to the landlords. It must be borne in mind that this tithe rent-charge had, for a very long time, been treated as an article of commerce. Tithes had been bought and sold for valuable consideration from time to time. In some instances trustees had invested money in them, and they were considered to be a very good security. Now the Government proposed to substitute for the present system of varying tithes an automatic process of variation, and that was doing a great injustice to everybody who had bought tithe rent-charges in the past. He ventured to say that those purchasers were paid no consideration whatever in this Bill, and this proposal was grossly unjust to them. It was perfectly manifest that these tithe rent-charges were valuable or were not valuable accordingly as they were supposed to be variable or not variable. People bought them on the supposition that it was very difficult to vary them, and they paid their money on that basis. And now the Government, which was supposed to be especially conservative in regard to the rights of property, passed by all these considerations. In the case of the tithes bought upon the supposition he had alluded to, the Government proposed to make the variation according to the reduction of the judicial rents. He hoped the supporters of the Government, the landed gentry of England and the upholders of the rights of private property, in this country would reflect upon the reckless injury they were inflicting upon the people who had bought these tithes, for if they did he did not think they could reconcile their consciences to believe that they were acting up to their principles of doing justice to the owners of this property. This Bill was not only a revolutionary measure, but a measure of great injustice, and the landlords who were calling for it might find themselves some time or other in the future in a great difficulty. They might be faced with a similar proposal from some other Government, and they had better be very careful as to the way they were now satisfying themselves that they were able to give a reasonable defence for a proposal of this kind. He had heard no defence whatever for this legislation. Being a lover of justice, he thought the tithes ought to be continued as they were at present, and he begged to move his Amendment.

Amendment proposed—

"In page 2, line 26, after the word 'Act,' to insert the words 'on the application of any person who, if this Act had not been passed, would have been entitled to obtain a variation of any tithe rent-charge.'"—(*Mr. Clancy.*)

Question proposed, "That those words be there inserted."

MR. G. W. BALFOUR said he could hardly think that the Amendment was seriously intended by the hon. Member, for he had actually suggested that the tithe-owner had got a vested interest in the tithes. He would remind the Committee of one of the difficulties which the hon. Member himself had raised. It was necessary, under the existing law, to post the notice at the parish church. In some parishes there was no church, and in such a parish no variation of tithes was possible. And yet the hon. Member came forward and suggested that the tithe-owner had got a vested interest in the continuance of the tithe. If that was his opinion, all he had to say was that a great deal of the legislation passed upon this subject was unnecessary. The hon. Member called himself a lover of justice, but according to his theory the Act of 1881 and other Acts should not have been placed upon the statute book, because if purchases were made upon the supposition that certain disabilities had never been removed, upon what principles of justice could the Act of 1881 be defended? In England tithes were variable automatically, and they proposed to do the same thing under this Bill, and by doing so he thought they were initiating a great reform.

MR. SWIFT MACNEILL (Donegal, S.) said that the tithe-owners were not members of the landlord class. For many years investments in tithes had been looked upon as one of the most valuable securities. If the serious attack now proposed was made upon this property, surely those investors ought also to be compensated. The proposal before the Committee was by no means a frivolous one, for it provided that those men should be protected in every possible way. The owners of tithes had a primary charge on the land, and anyone acquainted with the law of real property knew they had a right to be paid out of profits, and any derogation of their right was a serious inroad on the rights of property. The effect of this clause would be to militate against that security. Therefore, he asked the Committee to insist upon this Amendment, or else that the Attorney General should give some reasons or show in some sort of way how the security could be maintained.

Question put.

The Committee divided:—Ayes, 90; Noes, 170. (Division List No. 181.)

AYES.

Abraham, William (Cork, N.E.)
Ambrose, Robert
Ashton, Thomas Gair
Asquith, Rt. Hon. Herbert H.
Austin, M. (Limerick, W.)
Bayley, Thomas (Derbyshire)
Beaumont, Wentworth C. B.
Billson, Alfred
Blake, Edward
Bolton, Thomas Dolling
Brigg, John
Broadhurst, Henry
Buchanan, Thomas Ryburn
Burns, John
Buxton, Sydney Charles
Caldwell, James
Campbell-Bannerman, Sir H.
Carew, James Laurence
Carvill, Patrick Geo. Hamilton
Channing, Francis Allston
Clancy, John Joseph
Colville, John
Daly, James
Davies, M. Vaughan-(Cardigan
Dillon, John
Doogan, P. C.
Douglas, Chas. M. (Lanark)
Emmott, Alfred
Evershed, Sydney
Farquharson, Dr. Robert
Fitzmaurice, Lord Edmond
Flavin, Michael Joseph
Flynn, James Christopher
Gladstone, Rt. Hon. Herb. John
Goddard, Daniel Ford
Hayne, Rt. Hn. Charles Seale-
Hedderwick, Thos. Chas. H.
Hemphill, Rt. Hon. Charles H.
Hogan, James Francis
Horniman, Frederick John
Hutton, Alfred E. (Morley)
Jameson, Major J. Eustace
Jones, Wm. (Carnarvonshire)
Kinloch, Sir John Geo. Smyth
Lawson, Sir W. (Cumberland
Macaleese, Daniel
MacDonnell, Dr. M. A. (Qn's C.
MacNeill, John Gordon Swift
M'Crae, George
M'Dermott, Patrick
M'Ghee, Richard
M'Hugh, Patrick A. (Leitrim)
M'Kenna, Reginald
M'Laren, Charles Benjamin
Molloy, Bernard Charles
Morton, Edw. J. C. (Devonport)
Murnaghan, George
Nussey, Thomas Willans
O'Brien, James F. X. (Cork)
O'Connor, Jas. (Wicklow, W.)
O'Connor, T. P. (Liverpool)
O'Dowd, John
O'Kelly, James
Oldroyd, Mark
O'Malley, William
Pease, Joseph A. (Northumb.)
Power, Patrick Joseph
Provand, Andrew Dryburgh
Reckitt, Harold James
Rickett, J. Compton
Roberts, John H. (Denbighs.)
Robson, William Snowdon
Runciman, Walter
Samuel, J. (Stockton-on-Tees)
Sinclair, Capt. John (Forfars.
Smith, Samuel (Flint)
Steadman, William Charles
Sullivan, Donal (Westmeath)
Sullivan, T. D. (Donegal, W.)
Tanner, Charles Kearns
Tennant, Harold John
Thomas, Alfred (Glamorgan, E.
Thomas, David Alfred (Merth'r
Trevelyan, Charles Philips
Weir, James Galloway
Whittaker, Thomas Palmer
Williams, John Carvell (Notts.
Wilson, Frederick W. (Norfolk)
Wilson, John (Durham, Mid)
Wilson, John (Govan)
Yoxall, James Henry

TELLERS FOR THE AYES—Captain Donelan and Mr. Patrick O'Brien.

NOES.

Allsopp, Hon. George
Archdale, Edward Mervyn
Ashmead-Bartlett, Sir Ellis
Atkinson, Rt. Hon. John
Balfour, Rt. Hn. A. J. (Manch'r
Balfour, Rt. Hn. G. W. (Leeds)
Banbury, Frederick George
Barry, Rt Hn A H Smith-(Hunts
Beach, Rt. Hn. Sir M H (Bristol)
Bemrose, Sir Henry Howe
Bethell, Commander
Blakiston-Houston, John
Blundell, Colonel Henry
Boscawen, Arthur Griffith-
Brodrick, Rt. Hon. St. John
Bullard, Sir Harry
Butcher, John George
Campbell, J. H. M. (Dublin)
Carson, Rt. Hon. Sir Edw. H.
Cavendish, V. C. W. (Derbysh.)
Cecil, Evelyn (Hertford, East)
Cecil, Lord Hugh (Greenwich)
Chamberlain, Rt. Hon. J. (Birm
Chamberlain, J Austen (Worc'r
Charrington, Spencer
Clare, Octavius Leigh
Coghill, Douglas Harry
Cohen, Benjamin Louis
Collings, Rt. Hon. Jesse
Colomb, Sir John Chas. Ready
Corbett, A. Cameron (Glasg'w)
Cornwallis, Fiennes Stanley W.
Cox, Irwin Edward Bainbridge
Cross, Herbert S. (Bolton)
Curzon, Viscount
Dalkeith, Earl of
Davies, Sir Horatio D (Chatham
Dickinson, Robert Edmond
Digby, John K. D. Wingfield-
Disraeli, Coningsby Ralph
Dorington, Sir John Edward
Douglas, Rt. Hon. A. Akers-
Dyke, Rt. Hon Sir William Hart
Egerton, Hon. A. de Tatton
Faber, George Denison
Fellowes, Hon. Ailwyn Edward
Field, Admiral (Eastbourne)
Finlay, Sir Robert Bannatyne
Fisher, William Hayes
FitzGerald, Sir Robert Penrose-
Flannery, Sir Fortescue
Fletcher, Sir Henry
Flower, Ernest
Forster, Henry William
Foster, Sir Michael (Lond. Univ.
Garfit, William
Gibbons, J. Lloyd
Giles, Charles Tyrrell
Godson, Sir Augustus Frederick
Gordon, Hon. John Edward
Gorst, Rt. Hon. Sir J. Eldon
Goschen, Rt. Hn. G. J. (St. Geor.
Goulding, Edward Alfred
Greene, H. D. (Shrewsbury)
Greville, Hon. Ronald
Gull, Sir Cameron
Hamilton, Rt. Hn. Lord George
Hanbury, Rt. Hon. Robert W.
Hanson, Sir Reginald
Heath, James
Helder, Augustus
Henderson, Alexander
Hermon-Hodge, Robt. Trotter
Hoare, Sir Samuel (Norwich)
Hobhouse, Henry
Houston, R. P.
Hozier, Hon. James Henry Cecil
Hudson, George Bickersteth
Hutton, John (Yorks, N. R.)
Jackson, Rt. Hon. Wm. Lawies
Jeffreys, Arthur Frederick
Johnston, William (Belfast)
Kennaway, Rt. Hn. Sir John H.
Kenyon-Slaney, Col. William
Keswick, William
Knowles, Lees
Lafone, Alfred
Lawrence, Wm. F. (Liverpool)
Lawson, John Grant (Yorks.)
Lecky, Rt. Hn. Wm. Edw. H.
Llewelyn, Sir Dillwyn-(Sw'ns'a
Loder, Gerald Walter Erskine
Long, Col. Charles W (Eversh'm
Long, Rt. Hon. Walter (Liverp'l
Lonsdale, John Brownlee
Lopes, Henry Yarde Buller
Loyd, Archie Kirkman
Lucas-Shadwell, William
Lyttelton, Hon. Alfred
Macartney, W. G. Ellison
Macdona, John Cumming
MacIver, David (Liverpool)
M'Calmont, Col. J. (Antrim, E.)
M'Iver, Sir L. (Edinburgh, W
M'Killop, James
Malcolm, Ian
Melville, Beresford Valentine
Middlemore, J. Throgmorton)
Moore, William (Antrim, N.)
More, Robert J. (Shropshire)
Morgan, Hn. F. (Monm'thsh.)
Morrell, George Herbert
Morton, A. H. A. (Deptford)
Mowbray, Sir Robert Gray C.
Murray, Rt. Hn. A. G. (Bute)
Murray, Charles J. (Coventry)
Newdigate, Francis Alexander
Nicholson, William Graham
Nicol, Donald Ninian
O'Neill, Hon. Robt. Torrens
Peel, Hon. W. R. Wellesley
Percy, Earl
Phillpotts, Captain Arthur
Pilkington, R. (Lancs, Newton
Platt-Higgins, Frederick
Plunkett, Rt. Hn. H. Curzon
Pollock, Harry Frederick
Purvis, Robert
Remnant, James Farquharson
Renshaw, Charles Bine
Rentoul, James Alexander
Ritchie, Rt. Hon Chas. Thomson
Robinson, Brooke
Rothschild, Hon. Lionel Walter
Russell, Gen. F. S. (Cheltenh'm)
Russell, T. W. (Tyrone)
Sandon, Viscount
Saunderson, Rt. Hon. Col. E. J.
Seely, Charles Hilton
Sidebotham, J. W. (Cheshire)
Sidebottom, Wm. (Derbyshire)
Sinclair, Louis (Romford)
Skewes-Cox, Thomas
Smith, Abel H. (Christchurch)
Smith, James Parker (Lanarks)
Stanley, Edward J. (Somerset)
Stephens, Henry Charles
Stewart, Sir Mark J. M'Taggart
Stock, James Henry
Strauss, Arthur
Strutt, Hon. Charles Hedley
Sturt, Hon. Humphry Napier
Thorburn, Sir Walter
Tollemache, Henry James
Tritton, Charles Ernest
Tuke, Sir John Batty
Warde, Lieut.-Col. C. E. (Kent)
Welby, Sir Charles G. E. (Notts-
Wentworth, Bruce C. Vernon.
Whiteley, H. (Ashton-under-L.
Williams, Colonel R. (Dorset)
Williams, Joseph Powell-(Birm
Willoughby de Eresby, Lord
Willox, Sir John Archibald
Wilson, John (Falkirk)
Wodehouse, Rt. Hon. E. R (Bath
Wylie, Alexander
Wyndham, George
Yerburgh, Robert Armstrong
Young, Commander (Berks, E.)

TELLERS FOR THE NOES—Sir William Walrond and Mr. Anstruther.

MR. DILLON: I propose to move not the Amendment standing in my name, but the Amendment standing in the name of the hon. Member for North Louth. We have now come to one of the important questions raised by Amendment on this Bill, and in order to make clear the bearing of this Amendment I must recall to the attention of the Committee the scope and object of the Bill. There are in Ireland two classes of tithes, ecclesiastical tithes and lay impropriate tithes. The ecclesiastical tithes are paid to the Irish Land Commission, and form a large part of the revenue of the Church Fund, but the lay impropriate tithes are private property just as much as a mortgage or a head rent. The ecclesiastical tithes have been invariable in Ireland since the Act of 1872, but it is proposed in this Bill to make them variable. The lay impropriate tithes have always been invariable. Although I do not at all agree that it is desirable or defensible to violently alter

the variation in the case of lay tithes, still I admit that lay tithe-owners have a grievance, and that that grievance has arisen not from the deliberate action of Parliament, but from a blunder on the part of the Executive Government in Ireland. If people are deprived of a legal right, whatever the value of that right may be, they are undoubtedly entitled to come to Parliament and ask for a remedy. But that argument does not apply to the case of ecclesiastical tithes, and the effect of this Amendment would be to confine the operations of Sections 2 and 3 of this Bill to lay impropriate tithes, leaving the ecclesiastical tithes invariable as they are at present and have been for twenty-eight years. It appears to me that this Amendment ought to receive the support of Her Majesty's Government. I may point out that I myself intended to approach the subject in a different way, because the Amendment standing in my name would have produced the opposite effect, but that arose altogether from the fact that I was not allowed to move an Instruction which I think was a wise Instruction, to divide the Bill into two parts, as the subjects dealt with are absolutely different. Under the circumstances, however, I now move the Amendment of the hon. Member for North Louth, which proposes to confine the operation of the Bill to lay impropriate tithes, and to leave the ecclesiastical tithes as they are now, invariable. We have heard a great deal of argument from the right hon. Gentleman — and very poor argument it appeared to me—in favour of the omission of the seven years instalments, and he based his argument in favour of that view on the assertion that there was a miscalculation, and that these annuitants were in point of fact unknowingly defrauded by Parliament owing to the ignorance of Mr. Gladstone and the Treasury of that day. But that argument cannot apply to the case of the ecclesiastical tithe-owners, and there can be no misunderstanding concerning them. It is said that there was no consent, but anyone who will take the trouble to trace through the pages of *Hansard* the history of the Act of 1872 cannot maintain that the tithe-payers of Ireland were not consenting parties. Neither in the House of Lords nor in the House of Commons was one solitary voice raised against the provisions of the Act of 1872 which made ecclesiastical tithes invariable, although there were dozens of Irish landlords in both Houses. How can the right hon. Gentleman come forward now, after twenty-eight years, and tell us that an injustice has been done? Up to the present moment we have not heard one single argument in support of that proposition. What is the nature of the ecclesiastical tithes as fixed by the Act of 1872 with—as should never be forgotten—the consent of the tithe-payers? All that the right hon. Gentleman has said about the inherent variability of tithes is absurd and in direct conflict with the facts of the situation. By the Act of 1872 ecclesiastical tithes were fixed invariably as a first charge on land in Ireland, a charge which bore no relation to the amount of the rent, and under which in innumerable instances great interests were held. Under that charge there were very often a head rent, middle interests, and perhaps two or three other interests, not to speak of mortgages. This Amendment now brings us to the great principle which I asserted on the Second Reading of this Bill, namely, the principle of the inviolability of prior charges on land. I want to know, when there is this invariable statutory prior lien on the land of Ireland, by what right can you slip over intermediate charges, and now maintain that this prior lien must be reduced. What about mortgages or family charges or head rents? This is of the utmost importance in Ireland. In this country, so far as my knowledge goes, no class has raised an agitation in favour of the reduction of the interest or the capital of mortgages on land, or the reduction of superior rents in consequence of the reduction of rent to the immediate occupier. If by this clause you allow the principle of violability to apply to a charge on land which ranks before head rent and mortgage interest, then you are introducing one of the most revolutionary principles of legislation ever proposed in this House. You cannot plead ignorance of the result. We know what the landlords think of this Bill, and we are not left for a single moment under the delusion that they will accept it as final. They scorn it and they scoff at it, and they regard it as an infinitesimal concession, only valuable as recognising their right to compensation.

*THE CHAIRMAN: The hon. Member is going rather beyond the limits of his own Amendment. He is now discussing the Bill at large.

MR. DILLON: This Amendment goes to the root of the principle of tithe rent-charge.

*THE CHAIRMAN: The hon. Gentleman is not discussing that; he is discussing whether the landlords of Ireland will ask for more and so forth, and that is not within the scope of his own Amendment.

MR. DILLON: In discussing this Amendment I am discussing whether the principle of variation is to be applied to ecclesiastical tithe rent-charge in Ireland, and whether a first charge on the land of Ireland is to be declared variable. The reason why I allude to this question is because I believe we have come to that part of the Bill in which the main principle of the inviolability of first charges on land is concerned, and I am astonished if I am not at liberty to discuss that great principle. The clause, as a whole, violates that principle, and it is on this Amendment that we can specifically discuss the question whether we are to vary tithes which at present by statute are invariable. It appears to me that if this Amendment raises any question it raises this precise question—whether we are going by this Bill to abrogate a great fixed principle which affects the whole security of property in Ireland. Unquestionably, that would be the result. If you break down the fixed and useful principle that charges on land must be treated according to priority, and that a man with superior interests is not to be made to suffer because an interest below him is cut down, you open the flood-gates and the floods will rush in; you will be face to face with an ever-growing demand from landlords in Ireland to have mortgages and the other liens on their lands cut down, and they will quote this very clause as a precedent. I object, of course, to this proposal because of the deadly blow it will strike at the solvency and the very existence of the Church Fund, and if I dwelt on other reasons it was because our experience during the last two or three days has led us to believe that the vast majority of hon. Members are entirely indifferent to all arguments on that point, and I thought we might make some lodgment in the minds of hon. Members if we showed that if this principle is trampled on a precedent will be set which may have the most injurious effects on mortgages and other charges on land. For these reasons I urge the acceptance of the Amendment on the Committee.

Amendment proposed—

"In page 2, line 28, after the word 'payable,' to insert the words 'otherwise than to the Land Commission.'"—(*Mr. Dillon.*)

Question proposed, "That those words be there inserted."

MR. G. W. BALFOUR: Of course it is quite impossible for the Government to accept this Amendment. If we did we would strike at one of the principal provisions of the measure. The hon. Member for East Mayo, if he will allow me to say so, has entirely misunderstood the grounds on which the Government have urged that the ecclesiastical tithe rent fixed by the Act of 1872 should again be made variable. The essential point is that the ecclesiastical tithe rent-charge, like other tithe rents in Ireland, was variable before 1872. It ceased to be variable under peculiar circumstances. It was not, I maintain, the result of a bargain between the tithe-payers, on one hand, and Mr. Gladstone representing the interests of the Church Fund on the other, in which the landlords got their *quid pro quo*. The real fact is that this change was made by Mr. Gladstone with a view to facilitating the redemption of tithe rent-charge by the payers of ecclesiastical tithe rent-charge. He believed that they would take advantage of the opportunity he proposed to give them, and for that purpose he fixed a tithe rent-charge, never contemplating, in the first place, that a very large number of payers would not take advantage of this facility to redeem, and, in the second place, that an abnormal fall in agricultural values would take place within a generation. It is on these grounds that we have advocated the removal of an arrangement which has operated against tithe rent-payers in a way never contemplated at the time. I do not advocate that tithe rent-charge should be reduced because rents have been reduced; but I say that under the peculiar circumstances of the case it is equitable that tithe rent-charge payers should be again entitled to have their tithe rent-charge varied while the privilege of redeeming is taken away from them. On that ground, and on that ground alone, I am advocating this change. As I said on the Second Reading, the hardship of the present situation is emphasised by the fact that rents have since been com-

pulsorily reduced; but it is not on that ground I advocate it, but on the grounds I have explained to the Committee. We are taking the reduction in judicial rents as the measure, but not as the reason for this proposal.

*SERJEANT HEMPHILL (Tyrone, N.): I certainly shall support the Amendment, which will strike out of the Bill the variation of ecclesiastical tithes. The Bill as it now stands deals with two different classes of property—lay and ecclesiastical tithes. The Amendment only refers to ecclesiastical tithes, and the effect of it if carried out would be to restore the state of things which existed when the Church Amendment Act of 1872 was passed—namely, to make ecclesiastical tithes irrevisable. That is the principle of the Amendment, and I think it is essential on various grounds that it should be accepted. In the Act of 1899 establishing the Board of Agriculture the right hon. Gentleman, when charging £70,000 a year for the purposes of that Act upon the Church Fund, was obliged to guard against the effect of that charge, because it was even then contemplated by the Government that the Church Fund might not be adequate to meet it.

MR. G. W. BALFOUR: I may remind the right hon. Gentleman that last year the Tithe Bill was introduced at the same time as the Board of Agriculture Bill.

*SERJEANT HEMPHILL: Yes; but the Tithe Rent-charge Bill was a still-born child, and that does not apply to my argument at all. I will quote the Agriculture and Technical Instruction (Ireland) Act, 1899. Section 15 says that, among the moneys placed at the disposal of the Department, should be—

"(*b.*) Out of the annual income derivable from the surplus of the Irish Church Temporalities Fund, during a period of fifteen years from the commencement of this Act, the annual sum of £70,000, and thereafter during each subsequent period of fifteen years such annual sum as in the opinion of the Treasury can be paid without impairing the security for any liabilities existing at the commencement of this Act upon that Fund."

When the argument was made last year that the Government were by that Act, when granting the sum of £70,000 a year to the Department, impairing the security of the Imperial Exchequer, the right hon. Gentleman stated that it was only for a period of fifteen years, and that it was not likely that the fund would be diminished in fifteen years, and that if the grant was extended beyond fifteen years, it could only be done under the saving clause, with the consent of the Treasury of the day if in their opinion it could be paid without impairing the Church Fund. The right hon. Gentleman says that our fears are chimerical, and that, though we are depleting the Church Fund by this Bill to the extent of a million and a half or two millions, there will be no risk and no necessity for making good the security to the Imperial Exchequer. Hon. Gentlemen opposite should bear in mind that these vast loans have been made for various purposes out of the Imperial Exchequer on the security of the Church Fund, and that if the Church Fund fails the repayment will fall on the taxpayers in every part of the country. That is the reason why we should not undo the settlement of 1872, and should leave unimpaired the fixed and constant fund provided by the Church Amendment Act. The right hon. Gentleman says that this was a question of policy, of *haute politique*—the facilitating of the redemption of the tithe rent-charge; but last night he put it on the ground of a miscalculation, of a sort of "hocus pocus," about £3 10s. per cent. for fifty-two years instead of forty-five. Mr. Gladstone, who was a most jealous custodian of the public Treasury, made it a fixed and constant sum, and he did so to facilitate the redemption by paying cash down twenty-two and a half years purchase, or a terminable annuity for fifty-two years calculated at £4 9s. To attempt to cast a slur on the memory of the greatest statesman of this century seems to me extraordinary. There is another point. It is said that the reason for making this great change after the expiration of thirty years, and reducing the tithe rent-charge, is because the rents have been reduced by the operation of special legislation. For my part I do not want to be misunderstood, but I think that the Land Acts have operated harshly upon many of the landlords of Ireland who have had their rents considerably reduced, and it would rejoice me beyond measure if compensation were made to these landlords out of a proper fund, but not out of this fund, which was by solemn Act of Parliament reserved for cases of "unavoidable calamity and suffering in Ireland." The fallacy underlying this particular clause which we are seeking to amend is, that it assumes that

all the rents of all the landlords in every county in Ireland have been reduced. That is a great fallacy. I know many estates, and curiously enough in Tipperary particularly, where there are many tenants who have never come into the Land Court, and who have never had their rents reduced; and yet the landlords of these tenants are to have the benefit of this clause under the guise of compensation for loss incurred by the reduction of rents under Mr. Gladstone's Land Act. The right hon. Gentleman does not want to throw a glamour over the House. He is too fair, too loyal, too candid to do that, and accordingly he says that it is not because of the reduction of rents, but because of high policy, that this Bill has been introduced. I maintain that the reduction of the rent has no application at all to this particular standard as to ecclesiastical tithe with which alone we are dealing with this Amendment. The tithe rent-charge, which represents the tithe, was never the property of the landlord; it was something cut away from his property. The owners in fee, the grantees of the Crown, the possessors of fee simple estates in Ireland, never had more than nine-tenths of what their estates were nominally worth, because the Church had acquired the other tenth. The tithe rent-charge is like a mortgage, a first charge on the estate, and what the landlord ever had was simply the surplus. The rent was never measured by prices in Ireland. There were various other elements in fixing the rents—contiguity to market, richness of the soil, the hardship of the landlord, the poverty of the tenant, the land-hunger which prevailed, and which was the source of so many of the social evils of Ireland. The tithe rent-charge was measured by the market prices of the staple cereals, wheat and oats, which were the great tithes, in the language of the law, the lesser tithes being payable in respect of the cows and pigs, and the like. The great tithes, which were the staple of the income of the incumbent, were properly regulated by the market prices of the cereals. The right hon. Gentleman is quite right in saying that this solatium was not to be given by the Bill in consequence of the reduction of rents, but because of the general hardships in the case of many landlords, who, instead of having three or four mansions, have only one or two, and enjoying a London season, were obliged to put up with one in Dublin.

Serjeant Hemphill.

Mr. T. P. O'CONNOR: We certainly intend to go to a division on this Amendment, and I see no reason why it should not be taken before twelve o'clock; but I wish to express a slight point of difference from my hon. friend the Member for East Mayo, who said that there is a possibility of the precedent of this Bill being followed, and of some interference being made with mortgages and other charges on land and other property in Ireland. I beg my hon. friend to relieve his mind in regard to that. I do not believe that the House of Commons will ever submit to any such a proposal. And for this reason. If the Chief Secretary got up and proposed a reduction on the mortgages on property in Ireland on the ground that as the rents in Ireland had been reduced, so the mortgages should be reduced in proportion, the representatives of the English insurance companies and English capitalists would raise such a cry of anguish and revolt that the right hon. Gentleman would not have the smallest chance of carrying his Bill beyond the first night when it was mentioned in the House of Commons. I can assure my hon. friend that these charges on property in Ireland are perfectly secure. But why is it that this particular form of reduction is attempted to be carried out? It is because the Government are interfering, not with English money, but with Irish money, not with English capital, but with the rights of the Irish poor. It is because of that that the Chief Secretary has the solid vote of the gentlemen behind him. Even if I had the high privilege of being insured in some of the excellent English and Scottish insurance companies, I would gladly see Irish landlords who had borrowed money from them get 50 per cent. of their indebtedness wiped out, because it was the eagerness and promptitude of these companies in lending money to the Irish landlords which largely led to their destruction. But the vivid anxiety of my hon. friend for the capital of English people is vain; it is a mere phantom. The reason for this raid on Ireland is that it is Irish money. The right hon. and gallant Gentleman the Member for North Armagh quotes the Act of 1872, and he really has the courage to say that that Act was an injustice to the landlords of Ireland. He was in the House at the time, and supported the Bill. If he did not vote for the Church Bill, at any rate he voted for the Land Bill, and the right

hon. and gallant Gentleman will bear me out when I say, founding myself upon what appears in the colourless pages of *Hansard*, that when Mr. Gladstone announced that he would give power by the Bill to the landlords to commute their tithes he was interrupted in the flow of his discourse, because this concession was such a surprise to the landlords that they could not refrain from expressing their sense of satisfaction.

COLONEL SAUNDERSON (Armagh, N.): That is pure imagination.

MR. T. P. O'CONNOR: If my hon. and gallant friend will allow me to proceed, I will refer to *Hansard* to show that that was not an imaginary scene. Mr. Gladstone himself said that he was not able to proceed for a time with his speech because of the buzz of delighted surprise on the part of the landlords that he had been so kind to them. I observe the Chancellor of the Exchequer is not in the House. He usually is absent when this Bill is under discussion, or, if present, is always silent. But the right hon. Gentleman would confirm me, for he at that time got up and denounced Mr. Gladstone's proposal as a sacrilegious bribe by which the landlords were tempted to give up their theological and religious principles in exchange for the amount of money the right hon. Gentleman was going to give them. I am not acquainted with the law in regard to tithes in England, although I have made some inquiry on the subject. But, I ask, is there any power in England by which the English landlord can get rid of his tithe in the same way as the Irish landlord can get rid of his in Ireland? The right hon. and gallant Gentleman says that the Act of 1872 was an injustice to the Irish landlords, but he knows that that Bill was passed through both Houses of Parliament practically without discussion. I will tell the right hon. and gallant Gentleman something of the genesis of that Act. At that time rents were rising in Ireland, and landlords were supposed to be face to face with increased prices, and a corresponding increase of their tithes, and Mr. Gladstone, then Prime Minister, in order to save the landlords from that increase of their tithes, made the tithe rent charge stationary, which would otherwise have been augmented by the increase of prices. So that what the right hon. and gallant Gentleman represents as an injustice to Irish landlords was in fact one of the gifts—I do not say bribes, nor do I wish to indulge in the theological fantasies of the Chancellor of the Exchequer—by which Mr. Gladstone thought to smooth the passage of his land legislation, and to reconcile the Irish landlords to its acceptance.

Question put.

The Committee divided:—Ayes, 80; Noes, 180. (Division List No. 182.)

AYES.

Abraham Wm. (Cork, N.E.)	Goddard, Daniel Ford	Power, Patrick Joseph
Ambrose, Robert	Gurdon, Sir W. Brampton	Price, Robert John
Ashton, Thomas Gair	Hayne, Rt. Hn. Charles Seale-	Reckitt, Harold James
Austin, M. (Limerick, W.)	Hedderwick, Thomas Chas. H.	Roberts, John H. (Denbighs.)
Beaumont, Wentworth C. B.	Hemphill, Rt. Hon. Charles H.	Robson, William Snowdon
Billson, Alfred	Horniman, Frederick John	Runciman Walter
Bolton, Thomas Dolling	Jameson, Major J. Eustace	Samuel, J. (Stockton-on-Tees)
Brigg, John	Jones, Wm. (Carnarvonshire)	Scott, Charles P. (Leith)
Broadhurst, Henry	Lawson, Sir Wilfrid (Cumb'lnd	Sinclair, Capt. John (Forfarshire
Buchanan, Thomas Ryburn	Macaleese, Daniel	Soames, Arthur Wellesley
Burns, John	MacDonnell, Dr. M. A. (Qu'nsC)	Stanhope, Hon. Philip J.
Caldwell, James	MacNeill, John Gordon Swift	Steadman, William Charles
Campbell-Bannerman, Sir H.	M'Crae, George	Strachey, Edward
Carew, James Laurence	M'Dermott, Patrick	Sullivan, Donal (Westmeath)
Carvill, Patrick Geo. Hamilton	M'Ghee, Richard	Sullivan, T. D. (Donegal, W.)
Channing, Francis Allston	M'Hugh, Patrick A. (Leitrim)	Tanner, Charles Kearns
Clancy, John Joseph	M'Kenna, Reginald	Tennant, Harold John
Clark, Dr. G. B.	M'Laren, Charles Benjamin	Thomas, Alfred (Glamorgan, E.
Daly, James	Molloy, Bernard Charles	Thomas, David Alfred (Merthyr
Davies, M. Vaughan-(Cardigan	Murnaghan, George	Trevelyan, Charles Philips
Dillon, John	Nussey, Thomas Willans	Weir James Galloway
Doogan, P. C.	O'Brien, James F. X. (Cork)	Williams, J. Carvell (Notts.)
Douglas, Charles M. (Lanark)	O'Connor, T. P. (Liverpool)	Wilson, Frederick W. (Norfolk
Emmott, Alfred	O'Dowd, John	Woodhouse, Sir J. T. (H'ddersfd
Evershed, Sydney	O'Kelly, James	
Flavin, Michael Joseph	Oldroyd, Mark	TELLERS FOR THE AYES.—Captain Donelan and Mr. Patrick O'Brien.
Flynn, James Christopher	O'Malley, William	
Gladstone, Rt. Hn Herbert John	Pease, Joseph A. (Northumb.)	

NOES.

Allsopp, Hon. George	Archdale, Edward Mervyn	Atkinson, Rt. Hon. John
Anson, Sir William Reynell	Ashmead-Bartlett, Sir Ellis	Balfour, Rt. Hon. A. J. (Manch'r

Balfour, Rt Hn Gerald W (Leeds
Banbury, Frederick George
Barry, Rt Hn A H Smith- (Hunts
Beach, Rt. Hn. Sir M. H. (Bristol
Beckett, Ernest William
Bemrose, Sir Henry Howe
Bethell, Commander
Bill, Charles
Blakiston-Houston, John
Blundell, Colonel Henry
Boscawen, Arthur Griffith-
Brodrick, Rt. Hon. St. John
Bullard, Sir Harry
Butcher John George
Campbell, J. H. M. (Dublin)
Carson, Rt. Hon. Sir Edw. H.
Cavendish, R. F. (N. Lancs.)
Cavendish, V. C. W. (Derbys.
Cecil, Evelyn (Hertford, E.)
Cecil, Lord Hugh (Greenwich)
Chamberlain, Rt. Hn. J. (Birm.
Chamberlain, J. Austen (Worc'r
Charrington, Spencer
Clare, Octavius Leigh
Coghill, Douglas Harry
Cohen, Benjamin Louis
Collings, Rt. Hon. Jesse
Colomb, Sir John Charles Ready
Cooke, C. W. Radcliffe (Heref'd)
Corbett, A. Cameron (Glasgow
Cornwallis, Fiennes Stanley W.
Cox, Irwin Edward Bainbridge
Cross, Herb. Shepherd (Bolton)
Curzon, Viscount
Dalkeith, Earl of
Dalrymple, Sir Charles
Davies, Sir Horatio D (Chatham
Dickinson, Robert Edmond
Disraeli, Coningsby Ralph
Dorington, Sir John Edward
Douglas, Rt. Hon. A. Akers-
Dyke, Rt. Hon. Sir Wm. Hart
Egerton, Hon. A. de Tatton
Faber, George Denison
Fellowes, Hon. Ailwyn Edward
Finlay, Sir Robert Bannatyne
Fisher, William Hayes
FitzGerald, Sir Robert Penrose-
Fletcher, Sir Henry
Flower, Ernest
Forster, Henry William
Foster, Colonel (Lancaster)
Foster, Harry S. (Suffolk)
Galloway, William Johnson
Garfit, William
Gedge, Sydney
Gibbons, J. Lloyd
Giles, Charles Tyrrell
Godson, Sir Augustus Frederick
Goldsworthy, Major-General
Gordon, Hon. John Edward
Gorst, Rt. Hn. Sir John Eldon
Goschen, Rt Hn G. J. (St George's
Goulding, Edward Alfred
Graham, Henry Robert
Greene, Henry D. (Shrewsb'ry
Greville, Hon. Ronald
Gull, Sir Cameron
Hamilton, Rt. Hon. Lord George
Hanbury, Rt. Hn. Robert Wm.
Hanson, Sir Reginald
Hardy, Laurence
Heath, James
Henderson, Alexander
Hermon-Hodge, Robert T.
Hoare, Sir Samuel (Norwich)
Hobhouse, Henry
Houston, R. P.
Hudson, George Bickersteth
Hutton, John (Yorks. N.R.)
Jackson, Rt. Hon. Wm. Lawies
Jebb, Sir Richard Claverhouse
Jeffreys, Arthur Frederick
Johnston, William (Belfast)
Johnstone, Heywood (Sussex)
Kenyon-Slaney, Col. William
Keswick, William
Knowles, Lees
Lafone, Alfred
Lawrence, Wm. F. (Liverpool)
Lawson, John Grant (Yorks.
Lecky, Rt. Hon. Wm. E. H.
Leigh-Bennett, Henry Currie
Llewelyn, Sir Dillwyn- (Sw'ns'a
Loder, Gerald Walter Erskine
Long, Col. Charles W. (Evesham
Long, Rt. Hon. W. (Liverpool
Lonsdale, John Brownlee
Lopes, Henry Yarde Buller
Lowles, John
Loyd, Archie Kirkman
Lucas-Shadwell, William
Lyttelton, Hon. Alfred
Macartney, W. G. Ellison
Macdona, John Cumming
MacIver, David (Liverpool)
M'Calmont, Col. J. (Antrim, E.)
M'Killop, James
Melville, Beresford Valentine
Middlemore, John T.
Milward, Colonel Victor
Moore, William (Antrim, N.)
More, R. Jasper (Shropshire)
Morgan, Hn. Fred (Monm'thsh.
Morrell, George Herbert
Morton, Arthur H. A. (Deptford
Mowbray, Sir Robert Gray C.
Murray, Rt. Hn. A. G. (Bute)
Murray, Chas. J. (Coventry)
Newdigate, Francis Alex.
Nicholson, William Graham
Nicol, Donald Ninian
O'Neill, Hon. Robert Torrens
Parkes, Ebenezer
Pease, H. Pike (Darlington)
Peel, Hon. Wm. Robert W.
Penn, John
Phillpotts, Captain Arthur
Pilkington, R. (Lancs, Newton)
Platt-Higgins, Frederick
Plunkett, Rt Hn Horace Curzon
Purvis, Robert
Remnant, James Farquharson
Rentoul, James Alexander
Richardson, Sir T. (Hartlepl)
Ridley, Rt. Hon. Sir M. W.
Ritchie, Rt. Hon. C. Thomson
Robertson, Herbert (Hackney)
Rothschild, Hon. Lionel W.
Russell, Gen. F. S. (Cheltenham
Russell, T. W. (Tyrone)
Sandon, Viscount
Saunderson, Rt. Hn. Col. E. J.
Seely, Charles Hilton
Sidebotham, J. W. (Cheshire)
Sidebottom, Wm. (Derbysh.)
Sinclair, Louis (Romford)
Smith, Abel H. (Christchurch)
Smith, Jas. Parker (Lanarks.)
Stanley, Edward J. (Somerset)
Stephens, Henry Charles
Stewart, Sir Mark J. M'Taggart
Stock, James Henry
Strauss, Arthur
Strutt, Hon. Charles Hedley
Scurt, Hon. Humphry Napier
Tollemache, Henry James
Tomlinson, Wm. Edw. Murray
Tritton, Charles Ernest
Tuke, Sir John Batty
Warde, Lt.-Col. C. E. (Kent)
Welby, Sir Chas. G. E. (Notts.
Wentworth, Bruce C. Vernon-
Whiteley, H. (Ashton-under-L
Williams, Col. R. (Dorset)
Williams, Joseph Powell- (Birm
Willoughby de Eresby, Lord
Willox, Sir John Archibald
Wilson, John (Falkirk)
Wodehouse, Rt. Hn. E. H. (Bath
Wylie, Alexander
Wyndham, George
Wyvill, Marmaduke D'Arcy
Young, Commander (Berks, E

TELLERS FOR THE NOES—
Sir William Walrond and
Mr. Anstruther.

It being after Midnight, the Chairman left the Chair to make his Report to the House.

Committee report Progress; to sit again upon Monday next.

POST OFFICE SITES (RE-COMMITTED) BILL.

Considered in Committee.

(In the Committee.)

Mr. J. W. LOWTHER (Cumberland, Penrith) in the Chair.]

Clause 1:—

DR. TANNER (Cork County, Mid): I beg leave to move to report Progress, and ask leave to sit again.

THE FINANCIAL SECRETARY TO THE TREASURY (Mr HANBURY, Preston): I hope the hon. Gentleman will not persist in his motion. Time is pressing, and the Bill has already passed through Committee upstairs.

MR. CALDWELL (Lanarkshire, Mid): I think the Secretary of the Treasury has given a very good reason for putting this Bill as the first Order on Monday.

Committee report Progress; to sit again upon Monday next.

Adjourned at ten minutes after Twelve of the clock.

HOUSE OF LORDS.

Friday, 6th July, 1900.

PRIVATE BILL BUSINESS.

The LORD CHANCELLOR acquainted the House that the Clerk of the Parliaments had laid upon the Table the Certificates from the Examiners that the further Standing Orders applicable to the following Bills have been complied with :—

Bray Urban District Council.
Cumberland County Council (Bridges).

Also the Certificate that the further Standing Orders applicable to the following Bill have not been complied with :—

Bray and Enniskerry Railway.

And also the Certificate that the Standing Orders applicable to the following Bill have been complied with :—

Electric Lighting Provisional Orders (No. 12).

The same were ordered to lie on the Table.

WIRRAL RAILWAY BILL [H.L.].

Commons Amendments considered, and agreed to.

JARROW AND HEBBURN ELECTRICITY SUPPLY BILL.

Reported with Amendments.

NOTTINGHAM CORPORATION BILL.

Reported with Amendments.

ROE'S PATENT BILL [H.L.].

Reported with Amendments.

CRYSTAL PALACE COMPANY BILL [H.L.].

Read 3ª ; Amendments made ; Bill passed, and sent to the Commons.

TAUNTON CORPORATION BILL.

Brought from the Commons ; read 1ª ; and referred to the Examiners.

CITY OF LONDON ELECTRIC LIGHTING BILL.

LANCASHIRE AND YORKSHIRE RAILWAY BILL.

NORTH WARWICKSHIRE WATER BILL.

WIDNES AND RUNCORN BRIDGE BILL.

Returned from the Commons with the Amendments agreed to.

WOODBRIDGE DISTRICT WATER BILL.

Returned from the Commons with the Amendments agreed to.

EAST STIRLINGSHIRE WATER BILL [H.L.].

LINCOLN CORPORATION (TRAMWAYS) BILL [H.L.].

SHEFFIELD DISTRICT RAILWAY BILL [H.L.].

Returned from the Commons agreed to, with Amendments. The said Amendments considered, and agreed to.

GREAT YARMOUTH PORT AND HAVEN BILL.

Returned from the Commons with the Amendments agreed to, with Amendments.

TRAMWAYS ORDERS CONFIRMATION (No. 4) BILL [H.L.].

House in Committee (according to Order). The Amendments proposed by the Select Committee made ; further Amendments made ; Standing Committee negatived. The Report of Amendments to be received on Monday next.

GAS PROVISIONAL ORDERS (No. 3) BILL.

House in Committee (according to Order). An Amendment made ; Standing Committee negatived. The Report of Amendment to be received on Monday next.

PIER AND HARBOUR PROVISIONAL ORDERS (No. 1) BILL.

Read 3ª (according to Order), and passed.

LAMBETH WATER BILL.

MID-KENT WATER BILL.

PORTLAND URBAN DISTRICT GAS BILL.

WANDSWORTH AND PUTNEY GAS BILL.

SOUTH METROPOLITAN GAS BILL.

LONDON AND NORTH WESTERN RAILWAY BILL.

LONDON AND NORTH WESTERN RAILWAY (WALES) BILL.

LONDON COUNTY COUNCIL (IMPROVEMENTS) BILL.

Report from the Committee of Selection, That the following Lords be pro-

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

posed to the House to form the Select Committee for the consideration of the said Bills, viz. :—

M. Zetland,
E. Denbigh,
E. Mayo,
L. Plunket,
L. Brougham and Vaux (chairman) ;

agreed to ; and the said Lords appointed accordingly. The Committee to meet on Tuesday next, at Eleven o'clock ; and all Petitions referred to the Committee, with leave to the petitioners praying to be heard by counsel against the Bills to be heard as desired, as also counsel for the Bills.

RETURNS, REPORTS, ETC.

PUBLIC HEALTH (IRELAND) ACT, 1878.

I.—Report of the Committee appointed by the Local Government Board for Ireland to inquire into the public health of the City of Dublin.

II.—Minutes of Evidence taken before the Committee.

ARMY.

I. (Special Pensions).—Return for the year ended 31st March, 1900, of pensions specially granted under Articles 730, 1170, and 1207 of the Army Pay Warrant.

II. (Volunteers). — Proposed Regulations under the Volunteers Bill now before Parliament as to special engagements by members of Volunteer corps.

Presented (by Command), and ordered to lie on the Table.

POLLING DISTRICTS (ADMINISTRATIVE COUNTY OF LONDON).

Orders made by the London County Council dividing the Parliamentary Boroughs of Camberwell (Dulwich Division), Wandsworth, Hackney (North Division), and Finsbury (Central Division) into convenient polling districts. Laid before the House (pursuant to Act), and ordered to lie on the Table.

QUEEN ANNE'S BOUNTY BOARD.

A Message ordered to be sent to the House of Commons to propose that the Joint Committee do meet in Committee Room 1A, on Monday next, at half-past Three o'clock.

[LATER.]

Message from the Commons that they have ordered that the Committee appointed by them to join with the Committee of this House to consider the constitution of Queen Anne's Bounty Board do meet the Lords' Committee in Committee Room 1A on Monday next, at half-past Three o'clock, as proposed by their Lordships.

IRISH LAND—CLAIMS OF IRISH LANDLORDS — PROPOSED ROYAL COMMISSION.

[RESOLUTION.]

VISCOUNT TEMPLETOWN : My Lords, in rising to move the resolution that stands in my name, I cannot hide from myself that I have undertaken a great responsibility, not only because your Lordships' vote to-day will be of vital importance to the Irish landlords, but because I believe it will be of supreme moment to the interests of all who own any property of any kind whatever in the British Empire, for whether it is the rich man's estate or the poor man's one or two acres, the principle at stake is the same. The resolution I am asking your Lordships to support to-day is based on the fact that Irish landlords have been, and are being, deprived of their property for public purposes, and, contrary to the universal custom in this country when such is the case, are receiving neither compensation nor redress. But, my Lords, I have been nerved to my task by the belief inherent in me that if the people of this country once recognise the existence of an injustice they will do all in their power to have it removed. I do not propose to occupy much of your Lordships' time to-day in details of the grievances of Irish landlords, because (as is stated in the resolution before us) our claim to compensation or redress has never been seriously disputed by Parliament, and because after your Lordships heard the late Lord Inchiquin's speech in July, 1899, in which he put forward the damages done to the Irish landlords by recent legislation, your Lordships passed the following resolution—

"That the question of compensation to the Irish landlords for injury inflicted upon them by recent legislation demands the immediate attention of Her Majesty's Government."

Since then, however, nothing has been done, so far as we know, by the Government to deal with this resolution ; but we recognise the fact that their hands have

been full, and we did not, on our part, wish to interfere with their doing in South Africa that which we wish them to do also in Ireland—namely, to insist upon justice to all sections of the community. In asking for the appointment of a Royal Commission to inquire into the questions which are referred to in the motion which I have placed on the Paper of your Lordships' House, I think I ought at the outset to state once more, very briefly, the nature of the claim from which those questions arise. I cannot do so better than by quoting the following short paragraphs from a statement which was submitted to Her Majesty's Government by the Irish Landowners' Convention so long ago as 3rd February, 1888—

"The abstract right of Irish landowners to compensation for the loss or depreciation of their properties or rights by the legislation of recent years does not rest upon any new or exceptional grounds or principles.

"It is a right recognised and upheld in every civilised community, whenever property, or vested interests, are taken away or interfered with by the State for reasons of public policy, or for any public purpose.

"In England it has been for many generations an undisputed principle, rigorously enforced and continuously acted upon, sometimes at heavy cost to the nation, even in days when the country was comparatively poor.

"The legislature, moreover, has not only acted upon this principle in those cases in which the claim to compensation arose from the operation of great public measures or statutes, but it has always imposed a similar obligation upon public bodies, companies, or individuals to whom Parliament has, from time to time, delegated or granted powers of compulsorily acquiring or interfering with property, or vested interests, or rights of any kind.

"In such cases, moreover, compensation has frequently not been limited to the amount of loss or damage actually proved to have been inflicted at the moment, but large compensation has in many instances been paid for prospective, possible, or merely contingent damage or injury.

"The State has not only recognised this principle in its dealings with British subjects, but has in important instances both admitted and enforced a like obligation in dealing with other countries."

Such is the nature or basis of our claims, and I would next desire to remind your Lordships of some instances or occasions when this policy was acted upon or enforced. So long ago as 1705, when the terms of the Legislative Union between England and Scotland were being considered, the English Parliament agreed to pay £398,085 10s. as compensation for various losses which were regarded as likely to arise from that legislation. Again, in 1746, it was decided to abolish certain local Courts, known as exceptional hereditary jurisdictions, in Scotland, and a sum of about £150,000 was paid to the owners of these jurisdictions as compensation for the loss of their rights and emoluments. There was also the case of the revenues and royalties acquired by the State in the Isle of Man from the Duke and Duchess of Athol. This case is remarkable from the fact that it recognised the principle of paying compensation for injury arising from past legislation, when the injury proved to be greater than was expected when the legislation was passed. In 1765, £70,000 was paid to the Duke and Duchess, with an annuity of £2,000 per annum. Thirty-five years afterwards it was shown that the compensation was insufficient, and a further grant was made, which was subsequently converted into a perpetual annuity of £3,000. Finally, in 1829, the Duke was paid £417,144 for certain rights in and over the soil which had not been included in the previous transactions. We find also that, in 1799, the Parliament of Ireland voted £1,260,000 as compensation to the borough proprietors, when their rights were taken away. Then in 1833 the Imperial Parliament granted 20 millions sterling as compensation to the West Indian slave-owners, although it had been settled law in England for more than fifty years previously that property in man was unknown to our Constitution. The next instance of large compensation paid by the State to persons injuriously affected by legislation was probably the Irish Church Act of 1869, under which £11,616,518 was paid to individuals whose position or interests were adversely affected. Later on we had the case of abolition of purchase in the Army in 1871, when many millions of money were paid for depriving people of benefits which they had secured by a process which had actually been declared to be penal by statute. To these larger cases we have to add almost countless statutes under which power has been granted, sometimes to the State, sometimes to public or private companies, to take away the properties of individuals or to encroach upon their rights in pursuance of some public policy, or in the interest of some section of the community; but in no case that I know of has this been done without securing that compensation should be paid on a liberal scale to

everyone who had to surrender or suffer anything, in property or rights, for the purposes of the legislation in question. I may, therefore, be asked, Why did not Parliament insert provisions in the Land Act of 1881, providing that the landlords should be compensated for any injury that might accrue to them from its operation? My reply is that it was asserted by Mr. Gladstone, and by the leading Members of his Government in both Houses of Parliament, that their Bill would benefit the Irish landlords instead of injuring them. For instance, on 25th April, 1881,* the late Mr. W. E. Forster, at that time Chief Secretary for Ireland, said—

"I therefore am not surprised to hear a claim made for compensation. But the English law in the matter depends upon whether damage can be proved, and my firm belief is that no damage can be proved; on the other hand, that if the landlord were compensated, you would compensate him for conferring on him a benefit."

Later on, on 22nd July, Mr. Forster again said—

"I think this Bill will be justified by what will happen, and I think the final result of the measure, within a few years, will be that the landowners of Ireland, small and large, will be better off than they are at this moment."

Again, on 1st August, 1881, Lord Carlingford said in this House—

"My Lords, I maintain that the provisions of this Bill will cause the landlords no money loss whatsoever."

And, on the 11th August, Lord O'Hagan said that—

"Another objection entertained by opponents of the Bill was that it would subject the landlords to certain losses. But he believed that if it were administered conscientiously and honestly no material injury would be done to the landlords."

But, my Lords, while the Government of 1881 maintained that their Bill would be no injury to the landlords, they were equally explicit in their assurances that if injury were the result, compensation must be made. For instance, on the Second Reading of the Bill, on 16th May, Mr. Gladstone said—

"I wish to refer to two words which we have heard often repeated in this debate. The first word is 'confiscation,' and the second word is 'compensation.' They are words that are, and ought to be, in close association together; for I certainly should be very slow to deny that where confiscation could be proved, compensation ought to follow."

* The proceedings on the Land Law (Ireland) Bill, of 1881, are reported in *The Parliamentary Debates* [Third Series], Vols. cclx.—cclxv.

Again, on 22nd July, Mr. Gladstone used these remarkable words—

"In doing our duty to the several classes in Ireland who are immediately affected by the Bill, we shall not forget the duty we owe to the nation at large. If these classes, either or both of them, have a just claim to compensation in consequence of the manner in which their interests will be affected by this Bill, we are bound as a Parliament to give it to them. . . . If it can be shown, on clear and definite experience at the present time, that there is a probability, or if after-experience should prove that in fact ruin and heavy loss is likely to be, or has been, brought upon any class in Ireland by the direct effect of this legislation, that is a question which we ought to look very directly in the face."

My Lords, I need not remind your Lordships that this line was taken, and these assurances were given, in the presence of this Imperial Parliament, and I should feel that I was offering almost an affront to both Houses if I appeared to entertain a moment's doubt that Parliament, in passing the Land Bill of 1881, identified itself in the fullest degree with the assurances thus given respecting it. If such assurances had been given respecting a measure affecting some class in one of our colonies or dependencies, would there be a moment's hesitation in recognising that pledges had been given which the English nation and the Imperial Parliament were in honour bound to redeem? If so, will it be contended that the obligation is less binding because it was given respecting the property and interests of a class who constitute no mean section of the population of the United Kingdom, and who at every period of their history have been remarkable for their loyalty and devotion to the people of England? My Lords, I turn next to the losses which we say have been inflicted upon us, and to the forms of compensation or redress which we have been demanding; both of which we now ask Her Majesty's Government to refer to examination by a Royal Commission. Our losses were accurately summarised by the late Lord Inchiquin, in this House, on the 18th July, 1899,* when he said that compensation was due to the Irish landlords in the following respects—

"(1) For the injury inflicted on them by being deprived of the right of resumption, and by the transfer from the landlord to the tenant of the right to the occupation of the soil;

"(2) By the practical abolition of free contract in the letting of land;

"(3) By the landlords being deprived of the right of obtaining in the open market the best

* See *The Parliamentary Debates* [Fourth Series], Vol. lxxiv., page 1129.

rent for their property, which solvent tenants would willingly pay ;

"(4) By the serious interference and diminution of the landlords' rights and income, by the arbitrary fixing of so-called fair rents ;

"(5) By the reduction of rents below anything that could be justified by economic causes ;

"(6) By the heavy legal expenses periodically entailed upon the landlords by the process of fixing their rents judicially ;

"(7) By the impediments which have been placed in the way of their obtaining even the rent which the State still allows them, while, at the same time, payment in full is enforced for tithe rent-charge and all other State charges ; and,

"(8) Generally, by the depreciation of the value of their property by legislation, as well as the deprivation of many valuable proprietary rights, the proper exercise of which was beneficial, not only to the landlords, but also to their tenants and to the community at large."

I ask your Lordships—do you believe there is one landowner in England who could fairly make these complaints ? Have English landlords lost the right of resumption of their holdings ? Has their land been transferred to their tenants for public purposes without compensation ? Have they been deprived of the right to let their farms for the best rent they can get ? Are their rents fixed below what could be explained by economic causes, and are they forced to let them at one-third below competition rents ? Let me quote one or two instances of the grievance I refer to, about rents being reduced below competition value. Judge Bewley's evidence before Mr. Morley's Committee proves this. He said—

"I would say that the fair rent of a holding, as a rule, would be, roughly, about two-thirds of the competition rent.—(Q.) Two-thirds of the competition rent ? Roughly. In many cases the fair rents would be, of course, less than two-thirds, but, generally speaking, I would take it in that way."

I venture to ask what sort of rents would landlords in England receive if Parliament compelled them to accept rents from which the element of competition was explicitly and wholly excluded ? Then, again, it is said, the fact that the tenants have done most of the improvements in Ireland justifies lower rents than would otherwise be fair, but the bottom is knocked out of that argument by the fact that rents have been reduced just as much, if not, indeed, more, in cases where it is not disputed that the improvements were done by the landlords. I could easily prove that landlords have to pay to get back possession of their own lands when no improvements have been claimed by the tenant, but I think I have said enough to show that it is not true to assert that the Irish landlords are no worse off than the English landlords. If the case of the English landlords is so similar to that of the Irish landlords, why are English farmers left without the advantages given to the Irish farmers, and why do not Irish landlords get compensation for the loss of their properties and rights as English landlords do ? Mr. Gladstone, speaking on February 15th, on the Irish Land Act of 1870,* laid it down that

"Inasmuch as perpetuity of tenure on the part of the occupier is virtually expropriation of the landlord, and as a mere re-adjustment of rent according to the price of produce can by no means dispose of all contingencies the future may produce in his favour, compensation would have to be paid to the landlord for the rights of which he would be deprived."

Was not this an admission that the virtual, indeed the actual, expropriation caused by the Act of 1881 is a ground for compensation, unless, indeed, it can be shown that the landlords have derived benefits from that Act which, in themselves, are tantamount to compensation ? If anyone is bold enough to assert this, I would remind him that on 22nd July, 1881, Mr. Gladstone also said—

"I quite agree that if Parliament were to pass a law providing that rents in Ireland should be universally reduced to Griffiths' valuation, that would be a fair case for compensation."

Now, during the ten years immediately following the passing of the Act of 1881, the Irish Land Commission published yearly the figures which enabled the public to see how the reduced rents stood with reference to Griffiths' valuation, and it appears that during the period ended 22nd August, 1891, the number of rents fixed by sub-commissioners was 145,332 ; the old rents in these cases amounted to £3,425,843 ; Griffiths' valuation of the holdings amounted to £2,583,038 ; and the rents were reduced by the sub-commissioners to £2,661,322. In other words, the old rents were, in the aggregate, 33 per cent. above Griffiths' valuation, while the rents fixed by the sub-commissioners were only 3 per cent. above the valuation. Manifestly, therefore, the administration of the Act had produced a state of things which Mr. Gladstone had deliberately selected as a test, the occurrence of which would entitle the landlords to compensation.

* See *The Parliamentary Debates* [Third Series], Vol. cxcix., page 350.

Do the Government dispute this? Mr. Arthur Balfour, speaking during the debate on the Act of 1881, said—

"Free sale must either end in rack-renting, or in robbery."

It has ended in both. What I have stated proves that the Irish landlords' property has been taken for public purposes, and that, contrary to custom, they have received no compensation for it, and this though leading statesmen of both parties considered them entitled to it. The justice of compensation or redress not having been disputed, it remains only a question of how our claim is to be dealt with, and it is to arrive at the solution of this question, and to put an end to the state of affairs described by the *Times*, when the Fry Commission was asked for, but which applies just as much to-day—namely, as "altogether without a parallel in any country, civilised or uncivilised"—that we ask to-day for a Royal Commission as stated in my resolution. As regards the forms or methods by which compensation might be made, there seems to be no reason why the usual practice in such cases should not be followed, and the compensation be paid in money. The only reason ever alleged against this course seems to have been that the amount would probably be very large. What does this imply? Does it not mean that the injury and injustice done have been immense? if so, is there not all the greater reason for our demand that it should be made the subject of inquiry at the hands of a competent Commission? But while we can see no reason why we should not receive compensation in the usual form of payment in money, we have indicated various other forms in which compensation or redress might be, to some extent (and even to a large extent) granted without making any payments out of the Imperial Exchequer involving expense or loss to the general taxpayer. These proposals have long ago been submitted to Her Majesty's Government, and I do not propose to deal with them at any length on the present occasion, because we rather advocate that they should now be made the subject of inquiry and report by a Royal Commission, with the object of giving effect to the resolution adopted by this House about a year ago. I may, however, very shortly state their general character. First of all, we urge that the reforms recommended by the Fry Commission should receive a fair trial, in the hope that improved methods of administering the Acts would stem the daily and ever-increasing tide of confiscation. Then we ask that the State should endeavour to lighten the burden and facilitate the redemption of land charges, both private and public, by State loans to pay off well-secured mortgages; by legislation to encourage and assist the formation of mortgage debenture institutions; by an Act to enable owners and incumbrancers to convert any existing mortgage or charge into bonds or land debentures; by granting the most favourable terms possible for the purchase of State charges (such as tithe rent-charge, Crown rents, quit rents, etc.) and for the repayment of Board of Works loans; by reforms of procedure and amendments of the law under the Land Purchase Acts, with the object of decreasing as much as possible the loss of income to the landlord in sales under those Acts, and thereby encouraging and promoting such sales; and, lastly (but by no means the least in importance), by enabling titles to be cleared and registered at the expense of the State in the first instance, the State being afterwards recouped by fees on future transactions. I would like to point out that some of these proposals might be extended to the entire United Kingdom, with great public advantage, and much benefit to the landed classes. I refer especially to the formation of land debenture institutions, and the clearing and registering of titles. I will not add any further evidence of the justice of our demand, but with your Lordships' permission I should like to deal with one or two arguments I have heard used when the question of the Irish Land Acts has been under discussion. The argument has been used, that when the Land Act of 1881 was passed it was strongly opposed by many of the leading members of the present Government, but that, it having been passed, all they can do is to accept the fact. In this argument is omitted one of the chief facts which occurred when the Act of 1881 was passed—namely, the distinct assertion of the Prime Minister of England that, if a certain thing happened, Parliament would be bound to give us compensation. Again, what I ask the Government to-day is, will they assert

that Parliament is not bound in equity to redeem the pledges given to Irish landlords in the past? Parliament, I venture to assert, was never intended or created to despoil one section of the community for the benefit of another. On the contrary, we look to their endeavours to assure to the people of this Empire truth and justice for all generations. But look at the state of the land laws in Ireland to-day. The landlords are being ruined; the tenants are growing more dissatisfied every day that their reductions are not bigger; and what can be expected as a result but a growing sense of insecurity of capital—about the most evil and poisonous plant that could be grown in Ireland, which, being a poor country, wants all the capital possible. But, my Lords, the danger of this state of things being allowed to continue in Ireland is not confined to that country. If once it is finally established that in any part of Great Britain you can take property for any purpose, without compensation, where is the security for any man's property? Where, indeed, is the security for property of any kind, if Socialism is to be the watchword of a Unionist party? It is against the final fixing of this Socialistic precedent that I ask your Lordships to pass this resolution to-day. Another danger exists while this inequity exists, namely, that it is becoming daily more evident that Parliament either will not, or cannot, remedy this awful injustice in Ireland. We were assured before the last general election that no Irish Parliament was needed because the British Parliament could amend any just Irish grievance. It is true that the Government appointed the Fry Commission to make a very strictly limited inquiry into the process in operation under the Land Act of 1881, but though that body was presided over by one of the ablest English judges, and came to a unanimous decision, most of its recommendations remain to-day a dead letter, though over two years and a half have passed since their Report was issued, and though it referred very distinctly

"to the great evil wrought by that unrest which is generated by the periodical settlement of rents."

If once it is proved that an English Parliament cannot amend the just grievances of Ireland, one of the chief arguments used at the last general election goes by the board. It may be asked why, if we know that damage has been done, do not we state our claim specifically? The answer is, just as any one of your Lordships would know that damage had been done to your interests if, say, a railway was run opposite your hall-door, or through your park, still you might not be able to specify the amount of damage, or what compensation or redress you required, till you had received a professional valuer's report. The evils we complain of are not of the past. They are occurring daily, and, unless immediately stopped, wholesale ruin of Irish landowners stares them in the face. We do not ask that anything should be taken from the tenants. We do ask for equality of treatment for landlord and tenant. We say that if you undermine the security of property in land in Ireland you will prevent British capital being used there, as has already been done. We say that the Land Acts satisfy no one. They have not satisfied the tenants. Witness the Irish League started in county Mayo, which is now doing all it can to ruin the larger farmers by the same methods employed in former years to ruin the landlords by the Irish Land League. We maintain that the existing unrest on account of the Irish Land Acts will go on growing till you will have a task before you which may well appal the stoutest heart. And last, but not least, we contend that it is against public policy for such a glaring mass of injustice to be allowed to continue for another day in our midst. The Prime Minister has condemned, and rightly, the view that the operations in South Africa were undertaken not because of the grievances of the Uitlanders, but because there are gold mines there. This country has spent thousands of lives and millions of money to right their grievances. Why not, then, remedy the grievances of loyal Irishmen, instead of handing over them and their property to some of the bitterest foes this country has? Are you going to say to the loyal Irishmen who have fought in South Africa when they get back, to such of them as survive the horrors and hardships they have so nobly and willingly encountered for you, "You have fought to the death in order to right the wrongs of the Uitlanders, but do not dare to ask redress of your own wrongs. If you do you will be very ill-advised." Is

this what you are going to say to them? If it is, I, for one, do not believe the English nation will back you up. My Lords, the issue is a simple one, though, as I have said, of the deepest moment to the whole Empire—are you or are you not going to establish the precedent that a Government may take away a man's property from him without compensation? If you are going to establish this as a precedent, then you are sapping the very foundations of the Empire's prosperity. You are making a fatal mistake, which can never be rectified; and why? Because you have not sufficient faith in the inherent nobility of the British people to say, "We will right the wrongs of these our fellow-citizens, even if it should cost us something to do it."

Moved to resolve, That as the claim of Irish landlords to compensation or redress from the State has been on several recent occasions placed before Parliament, and as its justice has never been seriously disputed, a Royal Commission be immediately appointed to consider and report (*inter alia*)—

1. As to the nature and extent of the injury which Irish landowners have suffered by legislation since 1881; and
2. As to the best means of affording compensation or redress for the injury so inflicted upon them, having regard to the assurances given in Parliament in and since 1881 by members of successive Governments, or of the Legislature, that if Irish landowners were found to have suffered loss or injury from Irish land legislation it would be the duty of Parliament to compensate them.

—(*The Viscount Templetown.*)

THE LORD PRESIDENT OF THE COUNCIL (The Duke of DEVONSHIRE): My Lords, the Prime Minister has asked me, perhaps as a retribution for the part I took in passing the Act of 1881, to reply on behalf of the Government to the resolution moved by the noble Lord. In one respect, at all events, perhaps in many others, the selection is an unfortunate one; for, though any one of my colleagues would have given substantially the same answer that I shall have to give, both the Prime Minister himself and some of my colleagues could at least have given the noble Lord and his friends the satisfaction of repeating some of those criticisms and denunciations of the Act of 1881 which they have uttered on so many occasions, and which might have given some comfort to the noble Lord, whereas I, at least, am debarred from giving him even that moderate amount of satisfaction, because, while I am bound to admit that the Act of 1881 has not done all that was expected of it in improving and settling the relations between landlord and tenant in Ireland, while I admit that it may have pressed harder on Irish landlords than I, at least, ever anticipated that it would, while I am bound to admit that the absence of any definition of the principles on which fair rents ought to be fixed has left room for decisions many of which seem to be unaccountable and some of which may appear to be unjust, while I am bound to admit that the Land Act has many blots and imperfections, I am still prepared to maintain that, looking to the circumstances which at the time prevailed in Ireland, both justice and policy alike demanded some legislation in this direction, and even now I am not prepared to admit that I repent of the part I took in passing that Act. I had some difficulty in understanding what meaning was to be attached to the word "redress" which the noble Lord uses in his resolution. I rather gather from some of his concluding remarks that the word is intended to cover possible alterations which might be made in the Land Acts themselves, or in the procedure under them, such as were the subject of inquiry by the Fry Commission. That Commission was appointed two or three years ago to consider the procedure, the practice, and the methods of valuation, rent fixing, and land purchase tribunals. As I see that attention is going to be called to the Report of that Commission on Monday next, I think that it may be better that I should not attempt on this occasion to anticipate that discussion. I shall confine the observations I have to make entirely to the question of compensation. Well, my Lords, I have to state on the part of the Government that we are unable to accept this resolution, for two reasons. In the first place, the resolution asks us to accept a principle of compensation wider and more absolute in form than has ever been admitted by any Government, as far as I know, in the past, and in a form in which we certainly are not pre-

pared to admit the principle. In the next place it asked for the appointment of a Royal Commission which would be charged with an inquiry into subjects in regard to which, in our opinion, no Commission is competent to form a judgment or to advise either the Government or Parliament. It is not possible to assert the principle of compensation in a wider, broader, or more absolute manner than is contained in this resolution. I have no desire to attribute to the Irish landlords in general the desire to make unreasonable demands, and I think that probably most of them would admit that the warning which was given to them three years ago by the Prime Minister was not an unreasonable one, when he advised them not to make a claim for compensation in the shape of money from the English Exchequer. The noble Lord who moved this resolution did not appear to entirely accept that advice, because he told us he did not see why compensation should not be given in money, which, of course, must come direct from the English Exchequer. Although the noble Lord spoke in the name of the Landlords' Convention, he has, perhaps, in that respect, not represented the opinion of the whole of the Irish landlords. An Irish landlord, writing apparently with some authority on the subject, in a pamphlet called "The Case of the Irish Landlords," says of this warning given by the Prime Minister—

> "All that his second condition can reasonably be taken to mean is a warning that admissions that the landlords have been hardly treated by, and under, the Land Acts were not to be taken as invitations to the Duke of Abercorn (for example) to draw up a statement to the effect that the value of his Irish property in 1870 was (say) £895,000, and that by 1898 it was reduced to £537,000, and to demand a cheque for £358,000 balance due, and so on to all other landlords in turn. Some Irish landlords suffer from strange delusions, and, perhaps, a warning of this kind is not misplaced."

It does not seem to have been misplaced in the case of the noble Lord who moved this resolution. The writer of the pamphlet adds—

> "The operation of the Land Acts has been so variable, capricious, and obscure that no landlord can make a statement of the amount he has lost in pounds, shillings, and pence that can hold water."

The terms of the resolution which the noble Lord has moved would cover even a demand for a certain sum in damages for injuries sustained, and if a Commission were appointed under this resolution they would have to endeavour to make an inquiry into the actual amount of loss sustained by the Irish landlords, collectively and individually. I conceive that there is no precedent in which Parliament has accepted in this broad manner the principle of compensation for loss sustained in consequence of legislation, except in cases where the consequences were foreseen, and were capable of being provided for either in the legislation itself or in simultaneous legislation. The provision for compensating the slave-owners was, I believe, contained in the Act itself, and simultaneously with the Act for the abolition of the Corn Laws Sir Robert Peel brought forward a proposal to transfer from the land to the Exchequer the burden of certain rates as compensation for the injury which it was anticipated the landed interest would suffer from that measure. There are numerous instances in which this principle might have been put forward and might have been accepted by Parliament. In the case of the Ground Game Act and the Landlord and Tenant Act certain rights and privileges were transferred from the English landlords to their tenants. Some of those rights and privileges possessed pecuniary value, but no proposal was ever made to compensate the landlords for the rights of which they were deprived. Railway shareholders might put forward a claim for compensation for the costly improvements which have been imposed upon them by Railway Regulation Acts for the protection or convenience of the public or of their own servants, and which have been imposed upon them since the dates at which their original Acts were granted. Manufacturers and owners of mines might make a similar claim in respect of the restrictions on hours of labour and the expensive precautions which they are now compelled by law to make in the interest of the health and safety of their workmen, and which in many cases have largely reduced their profits. No one has ever suggested a claim for compensation in these cases. Employers generally might raise a claim for compensation in respect of the loss which they have incurred through the Compensation to Workmen Act, but no one has suggested that the Exchequer

should be made liable for the insurance that the employers may be compelled to make in order to protect themselves against that liability. It is quite clear that claims of this character might be raised in future if Parliament, in its wisdom, should ever think fit to make any alteration in the law relating to licenses and the sale of intoxicating liquors in such a manner as might have the effect of reducing the profits of that great trade. These instances might be indefinitely multiplied, but I have mentioned enough to show that the principle which we are asked in this resolution to sanction is one of a very far-reaching and very dangerous character. Some reference has been made to pledges which are said to have been given by Mr. Gladstone and his colleagues in 1881. Nothing has been brought forward by the noble Lord, and I have found nothing in the statements which have been put forward on behalf of the Irish Landowners' Convention, which is more definite than the statement of Mr. Gladstone, which the noble Lord has quoted, that if loss could be proved as a direct consequence of the Act, that would be a question which Parliament would be bound to look very directly in the face. But it is easy to find other passages, which it has not been found desirable to quote, in which Mr. Gladstone dealt directly with the question of compensation, and in which, while he admitted that compensation would be due if confiscation could be proved to be contained in the Act, he always denied that the principle of confiscation was to be found in the Act, and, therefore, he refused to include any principle of compensation in the Act. I submit that Parliament cannot be bound, and ought not in the interest of the taxpayers of this country to hold themselves bound, by anything which may have been said in the course of a debate of a vague character, such as these declarations, upon matters which might have been made the subject of definite enactment, or, at all events, might have taken the shape of a definite proposal made to Parliament. I do not recollect whether the question of compensation was ever directly raised by way of Amendment during the debates on the Act of 1881, but for this purpose it does not much matter whether it was or not. If it was not so raised it must have been because the Irish landowners and their friends did not see in what way a reasonable proposal on the subject which Parliament would be likely to accept could be made; and if it was raised by Amendment that Amendment certainly must have been rejected by Parliament, and by the only Parliament which had the whole case before it and was entitled to enact that a price should be paid by the British taxpayer for this legislation. The noble Lord first proposes that a Commission should examine into the extent of the injury suffered by Irish landowners in consequence of the legislation of 1881. Well, my Lords, it is admitted by some of these landlords, at all events, that it would be impossible for them to make a statement of the loss they had incurred through that Act that would hold water, and there are elements on the other side which would have to be taken into account and which it would be impossible to calculate. It seems to be assumed that, but for the Land Act, there would have been no loss to the landlords; but since 1881 rents have been reduced in England no less than they have been reduced in Ireland. I know that it is said that the agricultural conditions of England and Ireland differ very widely, and that the economical causes which have led to the reduction of rents in England have not affected Ireland in the same way. It was not held that so great a difference existed between the agricultural conditions of England and Ireland as to cause Ireland to be excluded from the compensation which was given in 1846 by Sir Robert Peel to the agricultural interest, for one of his proposals was that, concurrently with the repeal of the Corn Laws, the whole, instead of half, of the cost of the constabulary should be paid out of the Exchequer, the express object being to give to Irish landlords some compensation for the loss that it was contemplated would fall upon them in consequence of the repeal of the Corn Laws. It is not possible to contend that the economical causes which have led to reductions of rent in England have not had a similar effect in Ireland. I am unwilling to trouble your Lordships with my own experiences, but it certainly confirms the opinion I hold, that in any circumstances there must have been a considerable reduction in rents in Ireland. I have, as many of your Lordships know,

a large estate in Ireland, and, as your Lordships probably do not know, I am the owner of a small estate in Somersetshire. Somersetshire is not one of the counties in England chiefly affected by low prices, for it is not a wheat growing county; but comparing the three years from 1878 to 1880 and 1895 to 1897, I find that, while the reduction in rent on one of the Irish estates has been 16 per cent. the reduction on the English estate has been 35 per cent. I admit there may be peculiar circumstances in that, and that that may not be universally the case, but still it cannot possibly be denied that in estimating the loss which has been incurred by Irish landlords the economical causes which brought about the reduction of rents in England must be taken into consideration. That is one element in the estimate which it is almost impossible to calculate. There is another still more difficult to calculate, and that is, what would Irish rents have been worth in 1881, since 1881, and now, but for the Irish land legislation? Noble Lords have a very lively recollection of the Land Act of 1881, but they seem to have forgotten the agitation which preceded it. They have forgotten the resistance, which had already come into existence, against the payment of any rent at all, and they have forgotten the temper in which this resistance to the payment of rent was received in this country. It is easy enough now to say it was a wicked and unscrupulous agitation, raised wholly for political purposes, and without any just cause, and that it was the duty of the then Government to have enforced the law and the rights of the landlords; but no Government could do more than what Parliament, and the people to whom Parliament is responsible, give it the means of doing, and, looking back at the circumstances of those times and the temper which prevailed in Parliament and in the country, I hold it would have been absolutely impossible for the then Government or for any Government to have enforced the rights of the Irish landlords under penalty of eviction under an unreformed land law. Then there are elements in this estimate which the noble Lord would direct the Commission to make, which are impossible of calculation. The noble Lord has made some alteration in the terms of his resolution since he first placed it on the Paper. He has very wisely eliminated the second of his proposed instructions directing the Commission to inquire into the pledge which had been given by various statesmen on the subject. I think he can hardly have seriously contemplated that a Royal Commission should be appointed to inquire into what authority ought to be attached to the speeches of either the promoters or opponents of that measure upon matters which might have found expression, not in speeches alone, but in definite legislative proposals. The last instruction the noble Lord would give to the Commission relates to the best means of giving compensation. Although, for reasons which I have endeavoured to state, I conceive that anything in the nature of direct compensation is an impossibility, and although I think that the Irish landlords prejudice their case by putting forward a demand which may be capable of being understood in that sense, yet I am perfectly willing to admit that the case of the Irish landlords is a hard one. There can be no doubt, from the speeches of Mr. Gladstone and his colleagues, that he and they did not anticipate that the Land Act would prove to be an injury to the landlords, they rather anticipated that it would prove a benefit; but it cannot be maintained that that anticipation has been realised. Neither can it be asserted, I think, that if the Act has led to greater reductions of rent than were anticipated, if it has deprived the landlords of a larger proportion of the rights of property than the framers of the Act intended, through the decisions of the courts, these consequences have been owing in any degree to the fact that investigation has proved that the Irish landlords were a more exacting or a more rapacious body, as a whole, than they have been supposed to be. It cannot be denied that the Act has pressed more hardly upon them than was either desired or anticipated. But, when I make this admission, I cannot do more than again repeat the advice which was given to the Irish landlords by the Prime Minister three years ago, when he advised them to bring forward such proposals for the alleviation of their position as they soberly thought could reasonably be adopted, and as by the moderation of their desires and arguments, as well as by the strength of the reasons they put forward, would be commended to the impartial and sym-

pathetic acceptance of English statesmen. It is in this direction, and in this direction only, that any alleviation of the hardships of the Irish landlords can be found. We have endeavoured to do something in this direction. We have endeavoured to facilitate, in the interest of landlords as well as of tenants, the progress of land purchase. Up to March, 1897, advances from the Treasury for this purpose had been made at the rate of about £500,000 a year. In the next year they amounted to £800,000, and in the two last completed years they have amounted to £1,800,000 in each year, and I am informed the demand is somewhat on the increase. We have not waited for the Irish landlords themselves to make proposals. In connection with the Local Government Act, passed two years ago, the Government itself proposed and carried a provision which relieved them of half the poor rate, involving an expense of £316,000 a year. There is a measure now before Parliament — the Tithe Rent-charge Bill—which Irish landlords have frequently asked for, and which will give them some further relief of the same character. I do not say that these measures have given, or are capable of giving, the full measure of compensation to which they may think themselves entitled, but I do say that these measures show on the part of the Government a sympathetic spirit towards a class and an interest which we believe to be in an unfortunate and difficult position. And I say, further, that it is only through measures such as these, through measures which can be recommended and supported on grounds of public policy, and not only as instalments of compensation, that any further relief of the landlord's position can be found. I further say that some such measures of relief as those which have been enumerated by the noble Lord may be found in subsequent years to be worthy of consideration, but such measures can only be proposed or accepted by the Government on its own responsibility to Parliament, and I cannot conceive how the adoption of such measures would be facilitated by the appointment of a Commission charged with duties so difficult, if not impossible, as those suggested by the noble lord. For these reasons the Government have to resist the resolution. One word I must say in conclusion. The noble Lord asserted in his speech, and asserts in his resolution also, that the justice of these claims has never been denied.

THE EARL OF MAYO: Never been seriously disputed.

THE DUKE OF DEVONSHIRE: Never been seriously disputed. Well, as the noble Lord reminded us, a similar claim was put forward in a resolution which was moved by Lord Inchiquin last year. It is quite true that that resolution was carried by a small majority in a not very large House, but it was opposed by every one of Her Majesty's present and late advisers who sit in this House. I do not know how, under such circumstances, the noble Lord can ask us to assert that the justice of these claims has never been seriously disputed. For the reasons I have given, the Government feel compelled to resist the resolution.

*LORD CLONBROCK: My Lords, I deeply regret to hear the answer which the noble Duke has given on behalf of the Government. Our chief reason for asking for a Royal Commission is that though we have repeatedly brought forward the case of the Irish landlords, and stated in, I fear, often wearisome detail our several grounds of complaint and the nature and extent of our injuries, we have never been able to obtain any exhaustive examination of these points. The impression, therefore, is naturally left on the minds of many Members of this House and the public that we have overstated our case, and that, although we may have something to complain of, we are not worthy of much consideration. We have only been able to get from Her Majesty's Government an acknowledgment that our case is a hard one, and an assurance that we have their sympathy. The impression to which I have referred will no doubt be strengthened by the comparison which I was surprised to hear made by the noble Duke between the reductions of rent in Ireland and in England. That comparison is a plausible one, but I think we can show that it is unsound, especially in the case of the reductions of second-term rents which are now being made to an alarming extent in Ireland. In England rent is fixed by what a solvent farmer who knows his business chooses to give, and therefore depends on the prices of agricultural produce and the cost of production.

In Ireland the element of competition is entirely excluded, while the high price paid for tenant right shows that tenants would be ready to pay a higher rent than the judicial one. How rents in Ireland are fixed it is impossible to exactly ascertain, for no definition of what constitutes a fair rent has ever been furnished to the men who have been appointed to fix that rent. We know that what the Fry Commission called popular evidence, namely, the rent paid for land in the vicinity, long and punctual payment of a real rent, and so forth, is not admitted, and we therefore must assume that if the rent depends upon anything more than caprice it is upon what is called technical evidence, namely, the opinions of experts as to the capabilities of a farm, prices of agricultural produce, and cost of production. The question of improvements may be entirely eliminated, because an allowance was made for improvements on the first occasion when the rents were fixed. The cost of production is held by the Fry Report to be about the same, as, although labour is higher, the price of agricultural requisites, seeds, manures, etc., has decreased; and therefore these sweeping reductions which are taking place in second-term rents must depend on the fall in agricultural produce. I have in my hand a Report prepared by probably the greatest living authority in Ireland, Mr. Barnes, in which he calculates that the fall in the average gross profits of agricultural produce, stock and crops combined, for the whole of Ireland, since the first five years from 1881 to 1885, compared with the years from 1895 to the present year, is under 5 per cent.—$4\frac{3}{4}$ per cent. is the exact figure. But the rents have been reduced in the last period on an average of $24\frac{3}{4}$ per cent. The Fry Commission laid it down that if there was a reduction of values of 20 per cent., the reduction in rent ought to be $33\frac{1}{3}$ per cent. If we take that standard, the reduction of rents to which I have referred, instead of being $24\frac{3}{4}$ per cent., ought to have been under 8 per cent. Therefore rents have been reduced, according to this table, treble as much as they ought to have been. I think that disposes of the comparison between English and Irish rents. But there is another serious grievance which Irish landlords have which was hardly mentioned by the noble Duke, and which has no parallel in England. By the Act of 1881, supplemented by the Act of 1896, the selling value of Irish property has been reduced from about twenty-three years purchase of the old rent to about seventeen years purchase of the reduced rents. That has nothing to do with the reductions of rent or the fall in agricultural produce. There is no reason why the number of years purchase should have been varied. It means that a sum of over 25 per cent. of the fee simple value of the property has been taken from the landlord and transferred to the sitting tenant. It is on such losses as these that we base our claim for compensation. We do not ask for direct money compensation. We have taken the warning addressed to us by the noble Marquess the Prime Minister. But we ask for some measure of relief. The noble Duke stated that there was no precedent for granting compensation unless it had been taken into account at the time the legislation was passed which rendered the claim for compensation eventually necessary. Well, I would ask whether there was any precedent for the Act of 1881, but in any case it seems hard that, because the framers of that Act were deficient in foresight, and could not see what the consequences of the measure would be, the people who have suffered from its operations should continue to suffer. We wish to have the various schemes for relief to landlords which were mentioned by my noble friend who moved this motion, especially as some of them are of a highly technical character, referred to a Royal Commission for examination, and we are deeply disappointed at finding this Commission refused by Her Majesty's Government. I wish the House would consider the position of landlords in Ireland at the present time. By landlords I do not necessarily mean large landlords or wealthy men. There are many small and struggling landlords who are now being reduced to penury by these excessive reductions of rent, which are not justified by economic causes. There is a great probability that in another fifteen years there will be still further reductions. We hold that a grievous wrong has been done to us, unintentionally we freely admit, by Parliament and by the people of the United Kingdom, who approved of the legislation which has been passed, and it is to the sense of justice of the English people that we appeal. We appeal also to Her Majesty's

Government. As I have before said in this House, if we lived in a foreign country our position might be a very different one, for if any of Her Majesty's subjects abroad were injured by any foreign State the noble Marquess at the head of the Government would not be slow in demanding redress. He would stand forward as their defender, knowing well that in any steps he took he would be secure in the confidence of his countrymen, who are convinced, from the long record of his public service, that the national honour is safe in his hands. I would ask the noble Marquess and Her Majesty's Government whether the national honour may not be equally concerned in dealing with Her Majesty's subjects at home? We claim the protection of the Government. We claim it as loyal subjects, loyal not only to Her Majesty the Queen but loyal to the connection with England, to the Constitution, the laws, and the traditions of England. I do not claim for Irish landlords a monopoly of loyalty, but I do say that among that class there are more loyal men than are to be found in any other class in Ireland, and we have suffered for our loyalty. It is sometimes cast in our teeth that under other circumstances we should have received at least as much consideration from our opponents as we have from those whom we supported, and that if we had thrown in our lot with the rest of our countrymen we should be in a better position. I do not accept this view. I doubt that any identity of political views would outweigh the unpardonable sin of holding property which is coveted by others. I only mention it to show the opinion of our opponents as to how we are treated. An article appeared not long ago in *The Times*, signed by a well-known writer, in which was described a conversation the writer had had with a friend in Cape Town some ten years ago, in which his friend, after making a sufficiently gloomy forecast of what would happen in South Africa, used words which are thoroughly applicable to the state of things in Ireland. "Remember," he said, "that as it was in 1881, the Government will take care that it does not pay anyone to be loyal." I sincerely hope that policy will not be pursued in South Africa, but it is in that spirit that Ireland has been governed. This is the feeling, not among landlords alone, but among loyal men of other classes in many parts of Ireland. And well may it be so, when they see the property of loyal men gradually taken away for the benefit of their opponents, when they see that by another Legislative Act those men have been deprived of all voice in the management and administration of affairs in their country, when they see that in the case of a Government appointment one is selected not from among those who have been consistent in support of law and order, but from those whose conduct has been widely different, when any representations which they make to Government produce little or no effect. But if loyalty does not pay in Ireland disaffection does. It is this discouragement which is given to loyalists that encourages and fosters disaffection and agitation. As to the dangerous agitation now prevailing in Ireland, which, as the noble Duke said of the former Land League, is political in its origin, the people are taught by their leaders that as the land agitation previously brought about the Act of 1881, and has given them control over a portion of the landed property of Ireland, so they may by the present agitation endeavour to obtain control over the remainder. I am convinced that Her Majesty's Government are as much opposed to this agitation as I am. I have never failed to express that opinion. But can it be wondered at that it is strengthened and consolidated when its leaders see a candidate appointed to an important Government situation who some years ago was a leader and organiser of an equally immoral conspiracy? The Government may have satisfied themselves that the gentleman in question has modified the extremely lax principles of morality which admitted of this attitude, but no announcement has been made to that effect. It is not surprising that when the leaders of public opinion in Ireland see that resistance to the law and antagonism to England are a sure passport to favour, they should do their utmost to maintain that attitude among the people. The people would be well enough if they were let alone. Everyone who lives among them will gladly recognise their many good and generous qualities. But they are an impulsive and a credulous race, easily led away by sophistical reasoning and held in thraldom by their leaders. On the occasion of the Royal visit, when the instinctive chivalry

and good feeling of the people led them to break away from their leaders, and tender to Her Majesty a welcome which no one who witnessed it is likely to forget, these leaders hastened to discount the enthusiasm which they had in vain endeavoured to repress and to assure the world that, though this welcome was extended to the Queen, the feeling of hostility towards England was as bitter and as determined as ever. They feared that they might lose the hold which they deemed their disloyal attitude had given them over the timidity of England. I deeply regret the position the noble Duke has taken up with regard to the motion now before the House, and I cannot help thinking that the Government are unaware of the discouragement which they are giving to all loyal classes in Ireland, who feel deeply that, because they have no political power they have been abandoned by England, in whom they thought they could place reliance.

THE DUKE OF ABERCORN: My Lords, I also deeply regret the reply of the noble Duke; but as his reply is in the negative, I will not occupy your Lordships' time by any arguments which I might have adduced in favour of the motion. I believe the noble Duke, in the course of his speech, referred to myself, but I was not able exactly to catch the purport of his remarks.

THE DUKE OF DEVONSHIRE: I only read an extract in which your name occurred.

THE DUKE OF ABERCORN: I beg to assure your Lordships that I support the motion because I take an interest in the affairs of the landowners in Ireland, and that I am not in the slightest degree influenced by my own position. I only endeavour to serve others and to urge their grounds of grievance as far as possible. The answer which the noble Duke has given will be received in Ireland with bitterness and regret. I use the word "bitterness," because the landowners in that country will see that even their last effort to obtain redress has been opposed by the Government. I do wish the Government had a little more pluck, and that they would really take in hand the grievances of this particular section of Her Majesty's subjects, without looking too closely to the future and to the results of their action. I firmly believe that a little pluck in this regard would produce the best results, and would be the means of bringing round their standard many of those who at the present time are wavering. It is not those who have large incomes who suffer so severely; it is those unfortunate gentlemen who have small incomes, and whose property is gradually being taken away from them. Year by year the Commission goes on, and each year more or less of the property of these unfortunate men is abstracted from them, so that in the course of a few years it is impossible to say what their position may be. I really fear that these men will cease to exist as a class—men whose ancestors fought for the Empire, as their sons are doing to-day—and that eight-tenths of the houses will be shut up in Ireland—houses which have produced such sterling yeomen and such sterling defenders of our country. I regret extremely the decision of Her Majesty's Government, but as long as we have life and breath we shall continue to do our best to urge the claims of these unfortunate landowners whatever Government may be in power.

*THE EARL OF MAYO: My Lords, I was glad to hear that the noble Duke the Lord President of the Council admitted that the Act of 1881 had not done all that was expected at the time. It has, however, done a great deal more than we, as Irish landowners, expected, and we have suffered most severely at its hands. The noble Duke said the Commission could not possibly deal with many of the matters mentioned in the motion. The same sort of thing was said with regard to the Commission we asked for to inquire into the Land Acts. But if the recommendations of the Fry Commission were adopted by the Government they would go a long way to help the Irish landlords, and to remove their grievances. But what has happened? Scarcely anything has been done to carry out those recommendations. The noble Duke made a comparison between his property in Ireland and in Somersetshire. He said there were very large reductions in England, larger, I gathered, than in Ireland, but we must remember that in his Irish property there is a most valuable salmon fishery.

THE DUKE OF DEVONSHIRE: That has nothing to do with it.

*THE EARL OF MAYO: I admit that it was not included, but it is a most valuable asset in the property. There was one point which the noble Duke emphacised very much—namely, that we were not to expect compensation in pounds, shillings, and pence from the Exchequer. The noble Viscount did not say that we did expect compensation in this form. What he said was that, while we could see no reason why we should not receive compensation in actual payment of money, there were many other forms in which we could receive it. I do not suppose for one instant that anyone in his senses would imagine that we could ask the Chancellor of the Exchequer to pour golden sovereigns into our pockets because we have suffered in consequence of the Land Acts. Tenants in Ireland are lent money at $2\frac{3}{4}$ per cent., repayable by instalments spread over a long period, and in cases where Irish landlords have suffered from State interference with their rents, I think they might fairly claim the benefit of such loans. But this and other alternative methods of compensation are set forth in the recommendation of the Landlords' Convention of 1889, and are well known to the House. The comparisons of the noble Duke were not appropriate. He put forward as an argument that railway shareholders might be compared to Irish landlords, but I cannot see how that can be. Railway shareholders, no doubt, have to suffer loss when large improvements have to be made for the accommodation and safety of passengers, but if they have to provide large sums for such improvements what results — increasing traffics and increased revenue. Then the noble Duke mentioned, as another point in his argument, the Workmen's Compensation Act. Against claims upon them under that Act employers can insure; but how can an Irish landlord insure against the inroads the Land Commission make, every fifteen years, upon his income? If we could have insured against them we would have done so long ago. With regard to the question of rents having also been reduced in England, it must be remembered that tenant right, which exists in Ireland, does not exist in England. English landlords have not got that awful thing to face which is called tenant right, and which practically means this, that the landlord cannot regain possession of his property. I will tell you how a landlord can regain possession of his property in Ireland. If a tenant does not pay his rent he can evict him, but what happens? The tenant puts up the tenant right to auction, and in order that the landlord can get back his property he has to buy it at the highest price that is bid at that auction. How would English landlords like to face that state of things? I ask your Lordships what is the use of talking of what happened when Sir Robert Peel passed measures in 1841 dealing with the Constabulary in Ireland? We have long passed that stage. The Corn Laws have been repealed, and, thank goodness, we have got a Constabulary. We have heard a great deal about the good that the Acts framed for the purpose of purchase have done in Ireland, but these Acts are framed and administered as if the interest of the tenant need be the only thing to be considered and consulted. The condition of purchase is made as tempting as possible to the tenant, and all proposals that have been made for mitigating the loss of income and the heavy cost entailed upon landlords who under these Acts have sold their property, have been dealt with both by the Government and the Land Commission in a grudging spirit. Mortgage debenture institutions, which have done so much good in Central Prussia, Eastern Prussia, and other parts of Germany, would be of the greatest use in Ireland. They do not entail any call upon the Exchequer, and the working of them amounts to this: a large number of proprietors unite in raising money upon their joint credit, which they lend to each other in such sums as they consider safe. I regret very much that Her Majesty Government have taken up this attitude with regard to the Royal Commission asked for by the noble Viscount. After all, we only ask that the matter should be inquired into. Of course, if the Commission find that we have got no losses, then we have no case; but we are so certain that we have a good case that we ask for this Royal Commission. A vast transfer of property has taken place in Ireland by the behest of Parliament, but Ireland as a whole is none the richer, the property having passed from one class to another, while the Imperial Exchequer stands by risking not a single sixpence in the transaction. I hope the noble Viscount will press his motion to a division.

*THE LORD CHANCELLOR OF IRELAND (Lord ASHBOURNE): My Lords, I would like in a very few words to remind your Lordships of the question upon which you are asked to express an opinion. The topics that have been presented to-night so fairly and so forcibly by my noble friends have not been presented for the first time. On several occasions the same arguments have been addressed clearly and persuasively to your Lordships, but we are always bound to consider how far any proposals which are put forward are possible and practicable. Your Lordships are asked, as you were last year, to affirm that compensation should be given to the landowners. I have to remind your Lordships of what the noble Duke (the Duke of Devonshire) has already pointed out—namely, that it is impossible to suggest that the justice of these claims has been admitted when every Member of the Government felt constrained last year, as on previous occasions, to vote against the suggestion then made that compensation was practicable and should be given. Analogies have been cited by my noble friend Lord Templetown in which compensation has been given, but on every single occasion that he mentioned the topic of compensation was dealt with at the time of the Act, and no one ever suggested that it was possible to go back after a number of years and give compensation in respect of the working of an Act of Parliament. I was an opponent of the Act of 1881, and I have never said a word in favour of its policy or operation. But we have to take it as an Act of Parliament on the Statute Book and deal with it as part of the law of the land. What is suggested is that in some way or other compensation is to be given for the way in which rents have been reduced under the working of the Act of 1881. Is that possible? Can every case under the Act be re-tried? Has it not to be borne in mind that thousands of cases have been settled by agreement between landlord and tenant? In thousands of cases there were no appeals. In thousands of others there were appeals, and the reduction of rent was affirmed. Would it be possible to disentangle the reductions and say, "This much was worked out by economic causes and this much by the operation and undue working of an unfair and unreasonable Act of Parliament"? It is admitted that compensation in money is practically impossible. It is admitted to be impossible also to take away from the tenants one single benefit they have received. Then what compensation is suggested? It is suggested that some method should be found of getting some form of indirect compensation elsewhere by other Acts of Parliament—methods that it is very hard to realise or understand. At the present moment there is the Tithes Bill, which has been asked for not as compensation, but as a mere tardy measure of justice, passing through the other House of Parliament. The Fry Commission has been mentioned. We shall have the pleasure of having that Commission's Report discussed on Monday, when I will be prepared to give my noble friend who introduced the question every possible information as to the method in which the recommendations of that Commission are being dealt with. Land purchase, which is the most hopeful solution of the Irish land question, is going on vigorously, and Section 40 of the Act of 1896 is working in a reasonable and satisfactory manner. I see my noble friend (Lord Templemore) smiling, but I claim that I know the purchase question, and am as well able as any of my noble friends to understand its bearings. With regard to loans to landowners to pay off their first charges, which were mentioned by the noble Earl behind me (the Earl of Mayo), if a method can be found by which loans on safe and easy terms can be granted, I shall be delighted, but I am strongly of opinion that its discovery would not be an asset solely in the possession of Irish landlords, but the Treasury would be asked to grant similar loans to other sections of the community. Now, what is the good of a Royal Commission? What benefit is suggested to come from voting for a Royal Commission in the circumstances I have named? Have we not had Royal Commissions and Committees enough in Ireland? There was the Richmond Commission and the Bessborough Commission before the Land Act of 1881; and after its passing there was the Committee of your Lordships' House, in which Lord Cairns took part, and in the time of the late Government the Morley Committee was appointed. We have had the Fry Commission, and what is the good of now appointing another Commission? I venture to say that the suggestion that a Commission should be appointed is

impracticable. I gather from the closing words of the speech of my noble friend the Earl of Mayo that your Lordships are asked to divide on this motion. That is not a matter on which I have a right to advise, but I should have thought that the question had been adequately dealt with by the discussion which has taken place. I hope the noble Viscount will not press his motion, but if he does I shall feel it my duty to vote against it.

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CREMATION BILL [H.L.].

Order of the Day read for receiving Report of Amendments.

LORD MONKSWELL: In moving the reception of this Report, I should wish to give the noble Lord who represents the Home Office an opportunity of saying a word as to what the Home Office has done with regard to the suggestions made in the Standing Committee upon Clause 8.

THE CHAIRMAN OF COMMITTEES (The Earl of MORLEY): With regard to Clause 8, I should like to draw my noble

friend's attention to this point. All provisions now existing in private Acts with regard to crematoria which are of a like purpose to those which are in this Bill will be overruled. On the whole, I think that that is perfectly right, especially with regard to bye-laws and matters of that kind. But in Clause 3 the powers of a burial authority to provide and maintain burial grounds is made to include the provision of crematoria. Now, I presume that the result of that would be, that any burial authority will have power to raise money for the provision of such crematoria under the Public Health Act; but it may be that the existing authorities have power to raise money for the same purpose—that is a "like" purpose—under their private Acts in another way. Now it is possible that these crematoria may be in process of erection at the present time. The money which the authority would naturally obtain under the provisions of their private Act would be partly raised for the purpose of their crematoria. I think it is rather doubtful, as soon as this Act passes, if those powers would remain valid at all, and if the authority would not have to come under the Public Health Act to raise what they required. That would obviously be inconvenient. I suggested to my noble friend that he should ask the Local Government Board whether there is anything in my point; I am not quite certain that there is; but I think it is one that ought to be carefully considered; and if there is anything in it possibly he may be able to suggest an Amendment, or I should be very happy to co-operate with him in amending the clause.

LORD BELPER: With regard to the question asked by the noble Lord opposite (Lord Monkswell) I can assure him that the Home Office have very carefully considered the suggestions made in the Standing Committee with regard to alterations in Clause 8. The first suggestion made was that the private and local Acts which it is proposed to repeal should be placed in a schedule, and the second suggestion was with regard to the word "like." The Home Office have carefully considered both these points, and are not able to accept them, for these reasons, which I think will commend themselves to the House. It is quite unprecedented in any Bill of this sort—a public Bill—in repealing local Acts to schedule those Acts, and indeed, on consideration, it would be seen that it was a very inconvenient and dangerous course, because, although it may be perfectly possible to know what the particular local Acts are which have passed lately, it may be dangerous to schedule the Acts because of the possibility of leaving out very small local Acts which may contain these powers without it being known; and it is thought that it is not desirable to attempt to schedule any local Acts when some might be omitted. With regard to the other point, it was objected that the word "like" was a somewhat indefinite word. I am, however, assured that the phraseology which has been adopted in this clause is precisely the phraseology of another Act, the Infectious Diseases Notification Act, and that in that case no inconvenience has been found. As a matter of fact the word "same," which was the word that would seem to be the natural one to be adopted, would not be convenient. This Bill is a general Bill for the purpose of making general regulations referring to all crematoria. In each of the local Acts they have only got their special powers with regard to the crematoria under their own jurisdiction. Therefore the word "like" is thought to be more convenient than the word "same." With regard to the point raised by the noble Earl the Chairman of Committees, I will certainly take care that it is inquired into in some way. Of course I am not responsible for the Local Government Board, but the matter shall be brought before them. I may point out, however, that this Act does not come into force until the 1st day of April next, which would leave nine clear months after the Bill became an Act, and probably any financial arrangements which were in course of procedure could be completed within that time; and even if thas was not the case it would probably be no very great inconvenience, if the matter had to be put off longer, that the remaining sum had to be raised under the general Act rather than under the local Act.

LORD MONKSWELL: I do not know how long the noble Lord thinks it will take to obtain the opinion of the Local Government Board on this matter. The session is now getting very much advanced; I am told that there is a

possibility of this Bill passing this year if it leaves this House at once. I do not know whether there is any objection to taking the Third Reading on Monday.

LORD BELPER: With regard to what the noble Lord said as to the chance of the Bill passing this session, I was asked by the Secretary of State to say that, although the Home Office had moved a great many Amendments in this Bill, which they thought necessary in case the Bill passed at all, they do not wish it to be understood that they necessarily will take any responsibility with regard to the future procedure on the Bill.

Bill to be read 3ª on Monday next.

BURIAL GROUNDS BILL.

Read 3ª (according to Order), and passed.

LAND REGISTRY (NEW BUILDINGS) BILL.

House in Committee (according to Order); Bill reported without amendment; Standing Committee negatived; and Bill to be read 3ª on Monday next.

WORKMEN'S COMPENSATION ACT (1897) EXTENSION BILL.

House in Committee (according to Order).

Clause 1:—

THE EARL OF KIMBERLEY: I mentioned to the noble Viscount, when this Bill was last before us, two points on Subsection (2) of this clause. One was as to whether the expression "contractors" would apply to labourers who were employed themselves directly on piecework. The other point was as to the word "habitually." The noble Viscount was kind enough to say that he would look into the matter and say whether he was quite satisfied that the words carried out the intention of the Bill.

THE LORD PRIVY SEAL (Viscount CROSS): Your Lordships are fortunate enough to have here the noble Lord who was Attorney General at the time this Bill was passing through the other House, and he will no doubt explain exactly the grounds on which these words can be justified.

Lord Monkswell.

THE EARL OF KIMBERLEY: My point was merely this. The word "habitually" is no doubt a very general word, and I merely expressed a fear, which I have no doubt the noble Lord will be able to dispel, that that word may lead to inconvenience and litigation.

LORD ALVERSTONE: I think I can explain the matter in a few sentences. I will first say what it was that we tried to aim at. Where a man tilled his own land, and as a rule never employed labour — perhaps his son worked with him—we considered that he should not come within the Act just because he happened to have a few labourers at harvest time. The word "perpetually" was suggested, and also the word "continually," but it was pointed out that employment of labour for six or seven consecutive days might bring a man within either of those words. Finally, it was determined to adopt the word "habitually" as one which has a distinct popular meaning. I ventured in the other House to give three illustrations, which I venture to think will commend themselves to your Lordships as they did to that House. The law does know something about the word "habitually." We have the "habitual drunkard"; that means a man who is not always drunk, but whose habit is to drink. We have the "habitual criminal"; that means a man who is not always committing crime, but whose habit is to commit crime. Thirdly, in another place I pointed out that we had (your Lordships would not say that we have here) the "habitual bore"; that is, a man who is not always a bore, but whose habit is to bore. It occurred to us that the word which most nearly expresses ordinary employment in a popular way would be the word "habitually." The matter was discussed for a considerable time, and nobody was able to suggest a better word. I think it is a good thing to have a popular word in an Act of Parliament of this kind, so that it may be construed in a popular sense; and the words, "any employer who habitually employs one or more workmen" will indicate the class of persons intended to be brought within the scope of the Bill.

THE EARL OF KIMBERLEY: I am much obliged to the noble Lord for his explanation. No doubt he is a very com-

petent judge as to whether this word would be likely to give rise to any difficulty in the courts. But I confess I should have thought that it was a word which, for the very reason that it was popular and vague, would be likely to lead to a good deal of dispute. However, I will not pursue the matter.

*LORD HERRIES: I should like to ask the noble Lord in charge of the Bill this question. It very often happens in agricultural districts that a man—perhaps a small holder of land—undertakes to plough or hoe land at so much an acre, with his own horses. In Sub section (2) there is this proviso—

"Provided that where the contractor provides and uses machinery for the purpose of threshing, ploughing, or other agricultural work, he and he alone shall be liable."

Would horses be held to come within those words? Suppose a man who contracts for this work takes a young horse of his own, and that young horse kicks him or his labourer, it would be rather hard that the employer should be liable to pay compensation.

LORD HENEAGE: I may mention another point of the same sort. It is a very common mode of procedure—in Lincolnshire, at any rate—for landlords' agents to let the loading of wood to a contractor. Who will be responsible for any injury which may take place in the loading of timber if it is done by contract and the carts belong to the contractor; will it come under the second sub-section or under the first?

LORD ALVERSTONE: I do not think there is any doubt that this Act will be read as one Act with the Workmen's Compensation Act of 1897. Therefore, the proviso in Section 4 of the latter Act will apply, and the position will be that there will be the remedy against the employer who has sub-contracted the work, and there will be the remedy over against the contractor by the employer if the circumstances are such that the law would give him a remedy. When once you include forestry (which, I presume, would cover the operations the noble Lord opposite has referred to), there is no distinction between the contractor employed for that kind of work and the sub-contractor acting under the original Act. With regard to the question of ploughing land and work of that kind, the real question will be: Is there a sub-contract for agricultural work? If so, it would come within the provisions of the Bill, and the workman would have his remedy against the employer, with the remedy over to which I have referred.

LORD HENEAGE: I am afraid I have not made my point clear. At line 15 there is this proviso—

"Provided that where the contractor provides and uses machinery for the purpose of threshing, ploughing, or other agricultural work, he, and he alone, shall be liable under this Act to pay compensation to any workman employed by him on such work."

Then, by Sub-section (3)—

"The expression 'agriculture' includes horticulture, forestry,"

and so on. Therefore, according to the Bill, as I read it, anything done with regard to woods would come under the proviso, and not under the original Act.

VISCOUNT CROSS: With regard to the question put by Lord Herries, I have an Amendment to propose to Clause 1—on page 1, in line 15, after the word "machinery," to insert "driven by mechanical power." That, I think, will meet the point.

LORD HERRIES: That would not meet the point I raised. I think "horses" should be introduced, as well as "machinery." It is possible that a contractor may make use of his own horse, and if he happened to make use of a bad-tempered horse, who kicked and injured him, the undertaker ought not to be liable.

LORD ALVERSTONE: In the special case that is put of threshing, ploughing, or other agricultural work, there is an express proviso that in that case the only person to be liable will be the person who contracts. I thought the noble Lord was asking about the general provisions of the Bill. In the special case he refers to it is quite clear that the sub-contractor only is intended to be liable.

THE EARL OF KIMBERLEY: I think what my noble friend is in doubt about is, whether that would apply to the case of horses. The words are—

"Where the contractor provides and uses machinery for the purpose of threshing or ploughing or other agricultural work."

Now, if he uses a timber-gill, which is a cart of a particular kind for carrying timber, if the horse that he happened to employ were, as my noble friend put it, vicious, and kicked a labourer, would the contractor be liable under the clause, and not the employer in the first instance?

VISCOUNT CROSS: That is why I ventured to call attention to the Amendment that is to be moved later on. When these words are in—"driven by mechanical power"—then the liability of the sub-contractor will be confined exclusively to that case. Where it is the ordinary employment of horses and mechanical power is not used, the general provisions will apply. This proviso is only to deal with one particular case. The main point intended to be met was the question of threshing machines, which, as the noble Lord knows, employ power other than horses for the purpose of being driven.

THE EARL OF KIMBERLEY: The noble Viscount did not answer my question as to the contractor. I asked him whether he was quite satisfied that "contractor" would include an individual doing work by piecework.

VISCOUNT CROSS: That question has been very carefully considered by the legal advisers of the Department, and they are perfectly satisfied with the words as they stand.

Amendment moved—

"In page 1, line 15, after the word 'machinery,' to insert the words 'driven by mechanical power.'"—(*Viscount Cross.*)

Amendment agreed to.

THE EARL OF KIMBERLEY: I am rather puzzled by these words in Sub-section (3)—

"Where any workman is employed by the same employer, mainly in agricultural but partly or occasionally in other work, this Act shall apply also to the employment of the workman in such other work."

I think I am right in saying that "domestic servant" has never yet been included under the main Act; and it would seem in this case that if a workman was also employed as a domestic servant the employer would become liable for accidents occurring to the man in the performance of his duty as a domestic servant. That would be a very large extension of the original Act.

The Earl of Kimberley.

LORD ALVERSTONE: I am not at all surprised that the phraseology of this sub-section has raised the doubt expressed by the noble Earl. The governing words are—

"Employed by the same employer mainly in agricultural . . . . work."

You have first to find the servant who is "mainly employed in agricultural work"; then, if that servant happens to do something else, it may be domestic work, he is to get compensation for injury received in any work in which he is employed. The domestic servant who was not "mainly employed in agricultural work" would not be brought within the scope of the Bill. I agree that you have to make some division, and the dividing line is indicated by those words, "mainly employed in agricultural work."

LORD BURGHCLERE: There is an anomaly which is very patent on a little consideration of this sub-section. To follow out the argument of my noble friend a little further, we see at line 24—

"The expression 'agriculture' includes horticulture."

I will put a concrete case. "Horticulture," I suppose, would cover gardeners. In many establishments the gardener sometimes does work in the stable. By the preceding clause it is obvious that if the man is employed partly or occasionally in other work he also receives compensation. Therefore, employed in the stable, he will receive compensation if he is kicked by a horse. But, then, this anomaly will occur. There may be a coachman or a helper in that stable, and, as the noble Earl the Leader of the Opposition has pointed out, by the original Act domestic servants are exempted from compensation. Domestic servants include coachmen and grooms. Therefore, the coachman who is doing work in the stable and who is kicked by a horse, would not get compensation, whereas the gardener who is there only for casual work, and is kicked by the same horse, would get compensation.

LORD ALVERSTONE: No one is more conscious of the anomaly than I am, but, to get over it, the noble Lord must move a clause extending the Bill to domestic servants. As long as you break up the servants into classes, then the class you are proposing to make the Bill apply to are to be those "mainly

employed in agricultural work." The anomaly simply arises from the fact that you bring your gardener within the scope of the Bill, and not the coachman. The only way to get rid of the anomaly is to extend the Bill.

THE EARL OF KIMBERLEY: I do not quite follow that. The anomaly is created by this Bill.

LORD ALVERSTONE: Certainly.

THE EARL OF KIMBERLEY: Then what is the necessity for the clause? If a man is employed in agricultural work, when he meets with an accident in the course of that employment he will be entitled to compensation; but where is the necessity for extending that to the case of other work? It seems to me to be the gratuitous creation of what I think to be a most absurd anomaly—an anomaly which will not exist if this quite unnecessary clause is not put into the Bill. A man when he is employed in agricultural work will undoubtedly by the Bill be entitled to compensation; why should it be necessary, because he happens to be employed in agricultural work, to give him an additional privilege? There is no difficulty in getting rid of the anomaly by the simple method of striking out the words altogether.

LORD ALVERSTONE: I quite appreciate the anomaly to which attention is called, but the difficulty we had was this. We tried—I am speaking of those who then were discussing the Bill—to get rid of litigation as far as we could; and this difficulty was pointed out. Take the gardener, who *prima facie* comes under the Bill. Suppose he happens to be employed for an hour or so in doing some work which is not gardening, and meets with an accident. You would have immediately a controversy in the law courts as to whether or not he met with the injury in the course of doing one piece of work or another; and it was thought to be better that the man who came within the scope of the Bill should be within it for all the work that he did. I am not justifying the anomaly; but that was considered to be the best way of getting over the difficulty. It was thought better to distinguish between the classes of workmen, rather than between the classes of work.

Amendment agreed to. Bill recommitted to the Standing Committee; and to be printed as amended. (No. 171.)

DISTRICT COUNCILLORS AND GUARDIANS (TERM OF OFFICE) BILL.

Read 3ª (according to Order), and passed.

House adjourned at a quarter past Seven of the clock, to Monday next, a quarter before Eleven of the clock.

HOUSE OF COMMONS.

Friday, 6th July, 1900.

PRIVATE BILL BUSINESS.

PRIVATE BILLS [Lords] (STANDING ORDERS NOT PREVIOUSLY INQUIRED INTO COMPLIED WITH).

Mr. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bill, originating in the Lords, and referred on the First Reading thereof, the Standing Orders not previously inquired into, and which are applicable thereto, have been complied with, viz.:—

Bexhill and Rotherfield Railway Bill [Lords].

Ordered, That the Bill be read a second time.

CITY OF LONDON ELECTRIC LIGHTING BILL.

Lords Amendments considered, and agreed to.

GREAT YARMOUTH PORT AND HAVEN BILL.

Lords Amendments considered, and agreed to, with Amendments.

LANCASHIRE AND YORKSHIRE RAILWAY BILL.

WOODBRIDGE DISTRICT WATER BILL.

Lords Amendments considered, and agreed to.

EAST STIRLINGSHIRE WATER BILL [Lords].

Read the third time, and passed, with Amendments.

BURNLEY CORPORATION BILL [Lords].

As amended, considered; to be read the third time.

EDINBURGH DISTRICT LUNACY BOARD BILL [Lords].

As amended, considered; Amendments made; Bill to be read the third time.

WATER ORDERS CONFIRMATION BILL [Lords].

Read a second time, and committed.

LONDON (SOUTHWARK) PROVISIONAL ORDER BILL.

Reported, with Amendments [Provisional Order confirmed]; Report to lie upon the Table.

Bill, as amended, to be considered upon Monday next.

LONDON (ST. LUKE) PROVISIONAL ORDER BILL.

Reported, with Amendments [Provisional Order confirmed]; Report to lie upon the Table.

Bill, as amended, to be considered upon Monday next.

ASTON MANOR TRAMWAYS BILL [Lords].

Reported, with Amendments; Report to lie upon the Table, and to be printed.

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 12) BILL.

Reported, with Amendments [Provisional Orders confirmed]; Report to lie upon the Table.

Bill, as amended, to be considered upon Monday next.

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 14) BILL.

Reported, with Amendments [Provisional Orders confirmed]; Report to lie upon the Table.

Bill, as amended, to be considered upon Monday next.

GREAT INDIAN PENINSULA RAILWAY COMPANY BILL.

Reported, with Amendments; Report to lie upon the Table, and to be printed.

MESSAGE FROM THE LORDS.

That they have agreed to—Airdrie and Coatbridge Tramways Bill; Airdrie, Coatbridge, and District Water Trust Bill; Brighton Corporation Bill; Reading Corporation (Tramways) Bill; and Wolverhampton Gas Bill, with Amendments.

That they have passed a Bill intituled, "An Act to confirm certain Provisional Orders made by the Board of Trade under the Tramways Act, 1870, relating to Bedford Corporation Tramways, Bootle Corporation Tramways, Radcliffe Urban District Council Tramways, St. Helens Corporation Tramways and Warwick Tramways. Tramways Orders Confirmation (No. 2) Bill [Lords].

Also a Bill intituled, "An Act to provide for the conversion of the capital stocks of the Crystal Palace Company into shares; and to empower them to raise additional capital; and for other purposes. Crystal Palace Company Bill [Lords].

TRAMWAYS ORDERS CONFIRMATION (No. 2) BILL [Lords].

Read the first time; referred to the Examiners of Petitions for Private Bills, and to be printed. [Bill 287.]

CRYSTAL PALACE COMPANY BILL [Lords].

Read the first time; and referred to the Examiners of Petitions for Private Bills.

PETITIONS.

EDUCATION (SCOTLAND) BILL.

Petition from Kirkcaldy, against; to lie upon the Table.

FACTORIES AND WORKSHOPS BILL.

Petition from Aberdeen, against; to lie upon the Table.

SALE OF INTOXICATING LIQUORS TO CHILDREN (No. 2) BILL.

Petitions in favour, from Pickering (three); Helmsley; Fartown; Kirby Moorside; Sheepbridge; Gilling; Whitby; Settle; Carlisle; Patrington; Keynsham; London; Birmingham; Thornton (two); Tamworth; Atherstone; Polesworth; Chester; and Forest Hill; to lie upon the Table.

SALE OF INTOXICATING LIQUORS TO CHILDREN (SCOTLAND) BILL.

Petition from Kirkcaldy, in favour; to lie upon the Table.

SUNDAY CLOSING (MONMOUTHSHIRE) BILL.

Petitions in favour, from Fartown; Pickering (two); Kirby Moorside; Whitby; Sheepbridge; Gilling; Gorbal's Cross; Farsley; Honiton; Keighley; Thornton; Birmingham; Glasgow; Chester (two); and St. Ives (two); to lie upon the Table.

RETURNS, REPORTS, ETC.

HIGH COURT OF JUSTICE (CLERKS).

Return [presented 3rd July] to be printed. [No. 259.]

POLLING DISTRICTS (LONDON).

Copy presented, of Orders made by the London County Council dividing the Parliamentary Boroughs of Camberwell (Dulwich Division), Wandsworth, Hackney (North Division), and Finsbury (Central Division), into convenient Polling Districts [by Act]; to lie upon the Table.

PUBLIC HEALTH (DUBLIN) (COMMITTEE).

Copy presented, of Report of the Committee appointed by the Local Government Board for Ireland to inquire into the Public Health of the City of Dublin [by Command]; to lie upon the Table.

Copy presented, of Minutes of Evidence taken before the Committee appointed by the Local Government Board for Ireland to inquire into the Public Health of the City of Dublin [by Command]; to lie upon the Table.

TRAMWAYS ORDERS CONFIRMATION (No. 1) BILL.

Return presented, relative thereto [ordered 5th July; *Mr. Ritchie*]; to lie upon the Table, and to be printed. [No. 260.]

TREATY SERIES (No. 12, 1900).

Copy presented, of Accession of the Republic of Uruguay to the Convention signed at Geneva. 22nd August, 1864, for the Amelioration of the Condition of the Wounded in Armies in the Field, 3rd May, 1900 [by Command]; to lie upon the Table.

TREATY SERIES (No. 13, 1900).

Copy presented, of International Convention respecting the Liquor Traffic in Africa. Signed at Brussels, 8th June, 1899. Ratifications deposited at Brussels, 8th and 19th June, 1900 [by Command]; to lie upon the Table.

PAPER LAID UPON THE TABLE BY THE CLERK OF THE HOUSE.

Caledonian Canal.—Copy of Ninety-fifth Report of the Commissioners [by Act]; to be printed. [No. 261.]

PRISON OFFICERS (PENSIONS).

Address for "Return showing the practice of the late Prison authorities in England and Wales in granting Pensions to Prison Officers under Section 15 of the Prison Act, 1865, in the following form:—

Name of Prison.	Prison authority.	Particulars.

—(*Mr. John Hutton.*)

SHEBEENS IN TOWNS (IRELAND).

Return ordered, "of the number of prosecutions for Shebeening, the number of convictions obtained, the number of Clubs in which intoxicating liquors are sold, and the number of convictions for Shebeening where imprisonment was imposed as a penalty, in each of the cities of Belfast, Dublin, Cork, Limerick, and Waterford, during the period from the 1st day of January, 1898, till the 31st day of May, 1900."—(*Mr. Macaleese.*)

QUESTIONS.

CHINA—ANTI-FOREIGN OUTBREAK—JAPANESE HELP IN SUPPRESSING DISTURBANCES.

SIR E. ASHMEAD-BARTLETT (Sheffield, Ecclesall): I beg to ask the Under Secretary of State for Foreign Affairs whether the Government of Japan have received the mandate of all the Powers to undertake the relief, if possible, of the Legations and the suppression of the disturbances in Northern China, and have accepted the proposal.

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Mr. BRODRICK, Surrey, Guildford): The Government of Japan have received assurances from Her

Majesty's Government that the prompt despatch by them of a large force to Ta-ku would be welcomed by us; that no objection has been raised by any European Power to this course. Negotiations are still proceeding, and I am not in a position to make a further statement.

MR. T. P. O'CONNOR (Liverpool, Scotland): Am I right in assuming the right hon. Gentleman to mean that the request to Japan was unanimous on the part of the Powers?

[No answer was returned.]

RECENT NEWS.

SIR H. CAMPBELL-BANNERMAN (Stirling Burghs): Has the Under Secretary for Foreign Affairs any information about China?

*MR. BRODRICK: No, Sir. I am afraid we have nothing to add to the news already in the possession of the House.

PAPERS ON CHINA.

MR. CHANNING (Northamptonshire, E.): I beg to ask the Under Secretary of State for Foreign Affairs whether Papers respecting the affairs in China, in continuation of those issued in March, and bringing information up to the date of recent events, will be laid before Parliament; and how soon this will be done.

*MR. BRODRICK: Papers will be prepared as soon as possible.

NAVAL OFFICERS AND FOREIGN LANGUAGES.

SIR J. COLOMB (Great Yarmouth): I beg to ask the First Lord of the Admiralty if he can state how many officers borne on the books of Her Majesty's ships on the China station can speak any language other than English; and can he give the number of those on the station who have qualified as interpreters in Russian, French, or German respectively.

THE CIVIL LORD OF THE ADMIRALTY (MR. AUSTEN CHAMBERLAIN, Worcestershire, E.): Of the officers borne on the ships on the China station there are three qualified as interpreters in French, two in German, and one in Russian. As to how many more officers may possess a knowledge of languages other than their own I cannot say. We have no complete Returns on the subject. We know of twelve said to speak French and two German.

SIR J. COLOMB: To what branch of the Navy does the Russian interpreter belong?

MR. AUSTEN CHAMBERLAIN: I must ask for notice of any further question.

SUGGESTED NEGOTIATIONS FOR PEACE IN SOUTH AFRICA IN VIEW OF CHINESE COMPLICATIONS.

MR. PATRICK O'BRIEN (Kilkenny): I beg to ask the First Lord of the Treasury whether, in view of the serious complications in China, the Government are prepared to negotiate for a cessation of the war in South Africa, guaranteeing the independence of the South African Republics.

THE FIRST LORD OF THE TREASURY (MR. A. J. BALFOUR, Manchester, E.): We do not propose to modify our South African policy in consequence of any events outside South Africa.

SOUTH AFRICAN WAR—STORES BORROWED BY ARMY FROM NAVY.

MR. EDMUND ROBERTSON (Dundee): I beg to ask the First Lord of the Treasury whether he will consent to lay upon the Table at an early date a Return showing the amounts of the various classes of warlike stores borrowed by the Army from the Navy for the purposes of the campaign in South Africa.

MR. A. J. BALFOUR: It is impossible to get the information at the present moment.

MR. EDMUND ROBERTSON: Can we not have it down to the end of last year?

MR. A. J. BALFOUR: If the hon. Gentleman will put that question down I will inquire.

COURT-MARTIAL ADMINISTRATION.

The following question appeared on the Paper:—

SIR H. CAMPBELL-BANNERMAN: To ask the Secretary of State for the Colonies whether two persons, named Van der Valt and Boogsen, were recently tried and

convicted by a court-martial at Colesberg, in Cape Colony; could he state to the House with what offence or offences they were charged, what were the sentences imposed by the court-martial, and did the Attorney General of the colony report against the justice of the conviction in either or both of these cases; have the sentences been since reduced, and by what authority and on what grounds; and can he say whether military tribunals are still taking cognisance of offences against the criminal law of the colony, notwithstanding that the ordinary courts of the country are and have for some time been open.

When called upon by the SPEAKER to put the question—

SIR H. CAMPBELL-BANNERMAN said: I have received a request from the right hon. Gentleman the Secretary for the Colonies that I should address this question to the Under Secretary for War, but, with every possible respect for that hon. Gentleman, I must decline to do so, because I regard the Secretary of State for the Colonies as the proper guardian of the civil rights of Her Majesty's subjects in the Cape Colony. I shall therefore repeat the question, with all respect, on Monday.

IMPERIAL YEOMANRY PRISONERS WITH THE BOERS.

MR. KIMBER (Wandsworth): I beg to ask the Under Secretary of State for War whether he has or can procure the names of the men, as well as officers, of the 13th Imperial Yeomanry and other corps who are prisoners of war at Nooitgedacht, and information as to their food, shelter, and clothing, and as to any sick and wounded among them, also whether he has any information as to the effect of the place of their imprisonment and treatment on their health and life.

*THE UNDER SECRETARY OF STATE FOR WAR (Mr. WYNDHAM, Dover): Consul General Crowe has obtained a partial list of the British prisoners in Boer hands. This was forwarded by telegraph and published to-day. Consul Crowe has been instructed to forward by cable any further names which he may obtain. The War Office has no official information as to the health of the prisoners, but is aware that Consul Crowe has taken active steps to supply them with medicines, necessaries, clothing, and money. The latest information which has reached the Government points to a general amelioration of their condition.

ROODEVAL ENGAGEMENT, 7TH JUNE —CAPTURE OF THE DERBYSHIRE BATTALION.

MR. SWIFT MACNEILL (Donegal, S.): I beg to ask the Under Secretary of State for War if he will explain why the account, now in the possession of the War Office, giving the details of the surrender of the 4th Battalion of the Derbyshire Regiment, has been withheld from publication.

*MR. WYNDHAM: I must refer the hon. Member to the answer given yesterday by the first Lord of the Treasury to the Leader of the Opposition.†

MR. SWIFT MACNEILL: Then am I to understand that these documents will be furnished in due course? That was the trend of the First Lord's reply.

*MR. WYNDHAM: I am, perhaps, venturing too much in speaking only from memory, but I think my right hon. friend said that he would confer with the Secretary of State as to the publication of the despatches.

MR. SWIFT MACNEILL: May I ask the First Lord whether he did not say yesterday that these documents would be published in due course?

*MR. SPEAKER: Order, order! That is an irregular question.

MR. SWIFT MACNEILL: I knew it was.

ROODEVAL ENGAGEMENT—RESPONSIBILITY FOR THE DISASTER.

MR. SWIFT MACNEILL: I beg to ask the Under Secretary of State for War whether it was the absolute duty of Lord Methuen to guard the railway between Roodeval and America, which was destroyed by the Boer forces in the raid upon the line of communications in which the 4th Battalion of the Sherwood Foresters were surrounded and taken prisoners on the 7th June; whether Lord Methuen with a reconstituted division was upwards of twenty miles from the scene of the raid on the railway, and had

† See page 622 of this volume.

temporarily abandoned the task of guarding the railway in order to take supplies to General Colville at Heilbron; and whether it is proposed to hold an investigation for the purpose of ascertaining the officer or officers to whom the responsibity of the rout and surrender of a whole battalion at Roodeval appertains.

*MR. WYNDHAM: I am unable to answer the first two questions. With regard to the third, it is for Lord Roberts to decide whether an investigation is necessary.

GENERAL COLVILLE.

MR. SWIFT MACNEILL: I beg to ask the Under Secretary of State for War whether General Colville has been removed from his command in South Africa; and, if so, upon what grounds.

*MR. WYNDHAM: No information has been received on this subject in the War Office.

MR. SWIFT MACNEILL: Will the Secretary of State make inquiries, or will it be left to the discretion of Lord Roberts?

*MR. WYNDHAM: The hon. Member must have gathered that it is not the policy of the Government to ask Lord Roberts for an explanation of every piece of telegraphic news the meaning of which is not immediately apparent.

MR. SWIFT MACNEILL: I will put a question to the First Lord on Monday.

ORANGE RIVER COLONY AND PENNY POSTAGE.

*MR. EVELYN CECIL (Hertfordshire, Hertford): I beg to ask the Secretary to the Treasury, as representing the Postmaster General, whether instructions will be given without delay to reduce the postage of letters to all persons in the Orange River Colony to one penny per half-ounce.

THE FINANCIAL SECRETARY TO THE TREASURY (Mr. HANBURY, Preston): The Postmaster General is awaiting the decision of Her Majesty's Government on the subject.

PATRIOTIC FUND—WIDOWS' ALLOWANCES.

MR. GALLOWAY (Manchester, S.W.): I beg to ask the First Lord of the Treasury whether he is aware that since the Report of the Committee on the various War Funds was issued the Patriotic Commissioners have reduced the allowance of 5s. per week given by them to widows previous to such Report to the sum of 3s. per week; and whether, as the Committee contemplated, as is shown in the Report, that larger rather than smaller sums should be granted by the Patriotic Commissioners, the Government are prepared to advise the abolition of the said Commissioners, and whether the Government are willing to provide adequately for the wives and dependents of those who lose their lives in the service of their country.

MR. A. J. BALFOUR: I am in receipt of a communication from the Commissioners of the Royal Patriotic Fund, which deals with the third part of my hon. friend's question. The Commissioners say that the widows placed on the Transvaal War Fund have not had any different treatment meted out to them since the issue of the Report of the War Funds Commission. A small proportion of the total number of widows on the fund have had their allowances altered both before and since the issue of the Report by reason of their having been granted permanent annuities of a substantial character from overlapping local funds; and it would be unfair to other widows if such further allowances were not taken into account by the Commissioners. But the Commissioners have undertaken to frame a scheme of allowances for all widows when the war is over, and when the number of applications has been definitely ascertained. As to the second paragraph of my hon. friend's question, he is probably aware that the Government have pledged themselves to deal with the question of making provision for all widows and orphans.

MR. GALLOWAY: May I ask whether that is the answer of the Patriotic Commissioners or of the right hon. Gentleman's own? Because, in the former case, I take leave to question its accuracy.

[No answer was given.]

UNDER-AGE RECRUITS—CASE OF PATRICK WALSH.

MR. FLAVIN (Kerry, N.): I beg to ask the Under Secretary of State for War whether he is aware that a boy

named Patrick Walsh, whose regimental number is 6,106, enlisted in the 1st Battalion Royal Munster Fusiliers in October, 1898, and that prior to his last enlistment he joined the Army, but was discharged in March, 1898, being then under fourteen years of age; whether he can state if Patrick Walsh is now serving as a soldier in South Africa; and whether, seeing that he is now only sixteen years old, his immediate discharge from the Army will be granted in accordance with the request of his parents.

*MR. WYNDHAM: The facts are as stated by the hon. Member. When they were made known to the War Office last November a letter was sent to the General Officer commanding the Cork district, in which his attention was called to the case, and explanations from the officers concerned were demanded. These explanations were received. The Approving Officer expresses unqualified regret, and states in extenuation that Private Walsh when enlisted presented the appearance of maturity. He further states that he has often had occasion to question the correctness of birth certificates, and has even been in correspondence with the Registrar General in Ireland on the subject. The medical officer is so strongly of the same opinion with regard to the maturity of the youth he examined that he believes personation has taken place. The recruiting officer admits the possibility of error, and points out that in 1899 500 recruits were accepted and 300 rejected in his district, and that Walsh's name is a very common one in Listowel, where he was enlisted. It is an unsatisfactory case The boy seems to have been determined to enter the Army, and as he is now in South Africa it is impossible to discharge him before the end of the war; but his father has been been directed to apply again as soon as the war is over.

MR. FLAVIN: Has a boy fourteen years of age arrived at maturity for war purposes? Why was information refused to his parents when they applied at the War Office?

*MR. WYNDHAM: The question raises the points with which I have attempted to deal. The boy's height, weight, and chest measurement were all abnormal, so that it was easy to mistake his age.

MR. FLAVIN: He must be valuable for the front, then.

LONDON TELEGRAPHIST VOLUNTEERS—CAMP LEAVE.

MR. WEIR (Ross and Cromarty): I beg to ask the Secretary to the Treasury, as representing the Postmaster General, whether he is aware that members of the London Scottish Volunteers who are employed at the Central Telegraph Office, London, have been refused leave of absence to attend camps of military instruction; and will he have inquiry made into the matter with a view to a short term of leave being granted.

MR. HANBURY: Every effort is made to enable officers of the Post Office who are Volunteers to attend camps of instruction this year; but owing to the large number of officers who have been withdrawn for service in South Africa, it is not possible, with due regard to the exigencies of the service, to allow more than a limited number to go.

INTERNATIONAL FISHERIES CONFERENCE AT STOCKHOLM.

CAPTAIN SINCLAIR (Forfarshire): I beg to ask the Under Secretary of State for Foreign Affairs whether the British delegate to the International Fisheries Conference, held at Stockholm last year, has made any report of those proceedings to Her Majesty's Government; and, if so, whether it will be issued as a Parliamentary Paper.

*MR. BRODRICK: A Report has been received and the question of its publication will be considered when the correspondence between the British and Swedish Governments has been concluded.

CAPTAIN SINCLAIR: I beg to ask the Under Secretary of State for Foreign Affairs whether the Swedish Government, some months ago, communicated to Her Majesty's Government, the other North Sea Powers, and Russia, that it accepted the programme of the International Fisheries Conference held at Stockholm last year, and is resolved, in case of agreement on the part of the other Governments interested, to ask from the Riksdag the funds necessary to carry it out; whether favourable replies have been received by the Swedish Government from the Governments of Norway and Germany concerning the co-operation

proposed by the Stockholm Conference; and whether any, and, if so, what, reply has been made by Her Majesty's Government to this communication from the Swedish Government.

*MR. BRODRICK: As I stated in answer to a question on 1st May, communications are at present passing between the British and Swedish Governments with regard to the participation of Great Britain in certain investigations concerning the fishing industry which were recommended by the Conference. These communications are not yet completed, and I am therefore not able to make a more definite statement.

BRITISH SEA FISHERIES—ANADROMOUS FISHES.

MR. GIBSON BOWLES (Lynn Regis): I beg to ask the President of the Board of Trade whether he is aware that the United States Commission of Fish and Fisheries have ascertained and have stated, at page 105 of their Report for 1897, that the diminution in the number of sea fish, such as cod and haddock, on the coasts of the United States is accompanied by a depletion of anadromous fishes, such as the salmon, which leave the sea at certain seasons for the rivers; and that it appears that any measures tending to restore the anadromous fishes to their former abundance will also improve the coast fisheries; and will he consider whether any steps can be taken to improve the sea fisheries of the English, Scotch, and Irish coasts by measures tending to restore the anadroms which frequent the rivers of Ireland.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. RITCHIE, Croydon): No, Sir, I am not. The passage which my hon. friend has quoted with some considerable approach to accuracy is an expression of opinion by Mr. Charles H. Stevenson, contained in an appendix to the Report for 1898 of the Commissioner for Fish and Fisheries. The question whether any measures can be taken to add to the number of anadroms in the rivers of Ireland is being at present considered by a Viceregal Commission. It is impossible for me to say whether any steps can be taken to improve the sea fisheries of the English, Scotch and Irish coasts by such measures until I know what such measures are.

MR. GIBSON BOWLES: Will the right hon. Gentleman wait for the Report of that Commission before proceeding with the Undersized Fish Bill?

MR. RITCHIE: No, Sir; that Bill does not deal with anadroms.

MR. GIBSON BOWLES: Cannot the right hon. Gentleman say the direct connection between the scarcity of one and the scarcity of the other?

MR. RITCHIE did not reply.

MR. FLYNN (Cork, N.): Can the right hon. Gentleman say, for the information of Irish Members interested in fisheries, what an anadromous fish is?

MR. RITCHIE: It is a fish which lives sometimes in the sea and sometimes in the river.

LIGHTHOUSE COMMUNICATION—WIRELESS TELEGRAPHY.

SIR R. PENROSE-FITZGERALD (Cambridge): I beg to ask the President of the Board of Trade if he will be good enough to state whether communication between the East Goodwin light-vessel and the main land by wireless telegraphy, for life-saving purposes, is in working order; and, if not, whether he will explain the grounds of delay; and whether he is aware that the system in question is in constant use for life-saving and commercial purposes between the Borkum light-vessel, twenty miles from the receiving station on the main land.

MR. RITCHIE: The wireless telegraphy communication between the East Goodwin light-vessel and the mainland was established for experimental purposes only, and has now been discontinued. I am not aware of the exact nature of the system in use on the Borkum light-vessel. The question of using a system of wireless telegraphy for purposes of communication with lighthouses and light-vessels is before an Inter-Departmental Committee, who have very difficult questions of patent rights to consider.

RAILWAYS—COMMUNICATION WITH GUARD ON PASSENGER TRAINS.

MR. WEIR: I beg to ask the President of the Board of Trade, having regard to the fact that the principal railway companies decided some time since to adopt

the brake system of communication between railway passengers and the guard, will he state the names of the companies now using this system.

MR. RITCHIE: I am not in the possession of exhaustive information on the subject, but I will take steps to obtain it, and communicate with the hon. Member.

POSTAL EMPLOYEES AND CITIZENS' RIGHTS.

MR. STEADMAN (Tower Hamlets, Stepney): I beg to ask the Secretary to the Treasury, as representing the Postmaster General, whether there is any statute or regulation debarring Post Office servants, who are also officers of their trade unions, from exercising the right of approach to candidates for Parliament possessed by ordinary citizens and officials of other organisations.

MR. HANBURY: No distinction, of course, is drawn in this respect between a Post Office servant who is an officer of a trade union and one who is not. All Post Office servants, like all other members of the Civil Service of the Crown, are necessarily required to serve with equal fidelity under whatever political party may for the time be in power, and are therefore expected not to take any public part in supporting or opposing any particular candidate or party. This is specially necessary in the case of those who are brought into daily contact, in the discharge of their official duties, with all sections of the public, as most of the Post Office servants are. No statute and no regulation exists debarring any Post Office servant from approaching candidates for Parliament; but it is, of course, within the discretion of the Postmaster General, as it would be in the discretion of the head of any other Department of the State, to frame such a regulation if he considers it necessary in the public interest.

MR. STEADMAN: Does the right hon. Gentleman's answer refer to officials as well as members of trades unions?

MR. HANBURY: It applies to all in the Postal service, whether they belong to trades unions or not.

DELAY OF AUSTRALIAN MAILS.

MR. HENNIKER HEATON (Canterbury): I beg to ask the Secretary to the Treasury, as representing the Postmaster General, whether his attention has been called to the delay in the transit of the Australian mails per Orient Steam Navigation Company's steamers from Naples to London; and whether the mails by the Orient steamer which arrived at Naples on Friday last have yet been delivered in London; and, if so, will he state when the mails left Naples and when they arrived in London.

MR. HANBURY: The transit through Italy and France of the Australian mails landed at Naples is the subject of special attention; and continued effort is made to prevent delay in that service. The last homeward Orient packet arrived at Naples not on Friday but on Saturday last, and the mails were despatched from Naples shortly before midnight. Through irregularities, however, in the Italian railway service they did not reach London till Tuesday night, and the London correspondence was delivered on Wednesday morning. Representations have been made to the Italian Post Office on the subject.

ESTATE DUTY IN SCOTLAND.

MR. CROMBIE (Kincardineshire): I beg to ask Mr. Chancellor of the Exchequer whether he will issue instructions to the sheriff clerks in Scotland to receive the inventories and expede confirmations in favour of the executors of persons entitled to the benefits conferred by Section 14 of the Finance Act, 1900, without requiring estate duty to be first paid in all cases where the estate would otherwise be liable to the fixed duty of thirty shillings or fifty shillings, and thus imposing on the executors the burden of recovering this duty later on.

THE CHANCELLOR OF THE EXCHEQUER (Sir M. HICKS BEACH, Bristol, W.): The procedure suggested would not be possible in cases falling under Section 14 of the Finance Act, 1900, as the remission therein provided is conditional upon the discretion of the Treasury acting upon a recommendation of the Secretary of State or of the Admiralty, and it would be obviously impossible for sheriff clerks to know antecedently whether such discretion would be exercised.

POSTAL FACILITIES IN SCOTTISH CONGESTED DISTRICTS.

MR. WEIR: I beg to ask the Secretary to the Treasury, as representing the Postmaster General, whether he is aware that under Section 4, sub-section (*f*), of the Congested Districts (Scotland) Act, the Congested Districts Board is empowered to provide guarantees for telegraph extensions or such other postal facilities (including money order and savings bank business) as may be within the power of the Postmaster General to grant under guarantee; and in view of the fact that in some parts of the congested districts the Postmaster General has not felt himself justified in granting the postal deliveries sought by the inhabitants on the ground that they might result in a loss to the Revenue, will he state whether he would consider the expediency of providing such facilities if the Congested Districts Board undertook to guarantee the Department against loss under the section above referred to.

MR. HANBURY: The Postmaster General is aware of the statutory provisions referred to. If the Congested Districts Board see fit to make any proposal in the sense indicated by the hon. Member it will receive the Postmaster General's careful consideration.

HIGHLAND LINE FISHING INDUSTRY.

MR. WEIR: I beg to ask the Lord Advocate whether the Secretary for Scotland has received a memorial from the Lewis and Harris Association, and from nine other Highland associations, urging that the line fishing industry in Highland and Hebridean waters is imperfectly protected from the depredations of illegal trawlers, and, in view of the fact that the associations suggest that one or two swift boats, capable of putting to sea in any ordinary weather, should be placed on police duty round the shores of the Hebrides and adjacent mainland, will he state whether the Secretary for Scotland will consider the expediency of acting on the suggestion.

*THE LORD ADVOCATE (Mr. A. GRAHAM MURRAY, Buteshire): The memorial was received two days ago, and is under consideration, and a reply will be sent in due course.

STORNOWAY COMMISSIONERS' EDUCATION MEMORIAL.

MR. WEIR: I beg to ask the Lord Advocate whether the Secretary for Scotland has received a memorial from the Stornoway Burgh Commissioners pointing out that under the Education (Scotland) Bill now before Parliament moneys which are now applied in relief of the rates will be used for the purpose of secondary education; and will he state what steps he proposes to take in regard to the Commissioners' suggestion that the Congested Districts Board should be empowered to apply a portion of the moneys at its disposal to the purposes of secondary education, so that congested areas, such as the parish of Stornoway and Island of Lewis, where the rates are higher than in other districts in Scotland, may be relieved of the increased burdens imposed by the Bill.

*MR. A. GRAHAM MURRAY: The Secretary for Scotland has received the memorial containing the suggestion for an Amendment to the Education Bill referred to by the hon. Member. It appears, however, to his Lordship that, apart from the merits of the proposal, it is not one which could readily be inserted in the Education Bill, but would require separate legislation, which he is not at this period of the session prepared to initiate.

POTATO-GROWING IN SCOTLAND.

MR. WEIR: I beg to ask the Lord Advocate, as representing the Secretary for Scotland, whether he is aware that experiments made by Mr. O'Sullivan, of Athea, county Limerick, show that the yield of a potato crop may be increased to the extent of 80 per cent.; and will he have some inquiries made into the matter with a view to similar experiments by the Congested Districts Board for Scotland.

*MR. A. GRAHAM MURRAY: On the information supplied there does not seem sufficient evidence in favour of the proposal to come under any obligation regarding it.

MR. AUSTIN (Limerick, W.): Seeing that the Irish Agricultural Department are inquiring, why should not the Scottish Board do the same?

MR. WEIR: Will the right hon. Gentleman obtain from the Irish Department any information it may have obtained?

*MR. A. GRAHAM MURRAY: I have said there does not seem sufficient evidence to justify one coming under any obligation regarding it.

SCOTTISH FISHERY CRUISER.

MR. WEIR: I beg to ask the Lord Advocate if he will state what progress is being made with the Fishery Board's new cruiser, and when she will be ready for service.

*MR. A. GRAHAM MURRAY: I am informed by the Fishery Board that satisfactory progress has been made with the new cruiser, and it is fully anticipated that she will be completed within the period mentioned in the contract—namely, the 20th December next.

DUBLIN SORTING OFFICE DUTIES.

MR. STEADMAN: I beg to ask the Secretary to the Treasury, as representing the Postmaster General, whether the triple duty has been reintroduced in the Dublin sorting office, under a system by which officers perform three attendances, amounting in the aggregate to eight and a half or nine hours, the excess over eight hours being paid for as overtime; and whether an arrangement could be made to confine the number of attendances to two per day, in accordance with recent decisions, and in the event of a third attendance being necessary, the same to be paid for as overtime.

MR. HANBURY: The triple duty has not been reintroduced into the Dublin sorting office, but a few of the sorting clerks are occasionally required to attend three times a day in cases of exceptional pressure, and they are then paid at the usual rates for extra duty for all attendance in excess of eight hours, in accordance with the regulations. No departure from this rule would be warranted.

COOTEHILL (CAVAN) POST OFFICE.

MR. SAMUEL YOUNG (Cavan, E.): I beg to ask the Secretary to the Treasury, as representing the Postmaster General, if he can state why the use of the old post office in Cootehill, county Cavan, has been discontinued; whether he is aware that the old office was confined to postal work, whilst the new office is part of an apothecary's shop; and can he say at what cost the fixtures of the office were removed, and by whom the cost will be borne.

MR. HANBURY: The use of the premises in which the post office business was formerly carried on at Cootehill has been discontinued because a new sub-postmaster has been appointed who does not reside on those premises. The former sub-postmistress carried on no other business than that of the post office, whilst the new sub-postmaster is a chemist—but provides proper accommodation for the post office work. The question whether the fixtures formerly in use should be taken over by the new sub-postmaster is entirely a matter for arrangement between the former and present holder of the appointment.

MR. SAMUEL YOUNG: But why is the new postmaster to be allowed to carry on his business, whereas his predecessor had to give hers up and devote her whole time to the work of the post office?

MR. HANBURY: I am told that that is not the case, and that the late sub-postmistress had no business at all.

ROCKCORRY LICENSING SESSIONS.

MR. MACALEESE (Monaghan, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether there was due compliance with the rule which requires publication of intention and notice to the police in the matter of a new licence or transfer of licence, in the case wherein Mr. Leslie, agent of the Dartrey estate, recently obtained a transfer at Rockcorry petty sessions; is he aware that the original applicant for this transfer was a person named Clarke, and that Mr. Leslie left the bench and had Clarke's name removed from the application and his own substituted; can he say whether Clarke or Mr. Leslie is the tenant of the premises to which the licence is attached; and, if Mr. Leslie, does that gentleman, in compliance with the requirements of the law, sleep on the premises; if Clarke, how can that person trade and receive spirits under permit in his own name while the licence is in the name of Leslie; can he explain why one of the magistrates who granted the permit was drawn from the Castleblayney petty sessions district, and had he power to act; and will any action be taken in this case.

THE CHIEF SECRETARY FOR IRELAND (Mr. G. W. BALFOUR, Leeds, Central): There was no obligation to give

the police the notice referred to in the first paragraph, and the notice was not given. I have no information as to the second and third paragraphs. The magistrate referred to in the fourth paragraph is presumably Mr. McCabe. He is a justice for the county Monaghan. As I have already stated, the Executive do not propose to take any action in the matter.

BURIAL GROUNDS ON ARRAN ISLANDS.

MR. SHEEHY (Galway, S.) I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the condition of the burial grounds in the Arran Islands, Galway; is he aware that the caretaker on one of the burial grounds instead of protecting it actually lets the grass for grazing purposes, and allows the wire fences put up at considerable expense by the local authority to be destroyed; can he state whether there is a caretaker for the second burial ground; whether it is the duty of the Local Government Board Inspector to visit these burial grounds from time to time and see that the public health is not endangered by their unsanitary condition; and how often the inspector has visited these islands during the last twelve months.

MR. G. W. BALFOUR: Representations have been made to the Local Government Board by the Rev. Mr. Farragher, P.P., respecting the condition of these burial grounds, and the Board are in communication with the Galway Rural District Council on the subject. The matters to which the rev. gentleman has drawn attention relate rather to defects in connection with the caretaking, such as the failure to paint the gates and to prevent injury to the wire fences, etc., and it has not been alleged that any danger to the public health is involved such as is suggested in the question. The matter is entirely one for the local authority to deal with, and the Board's inspectors do not visit local graveyards unless their attention is specially directed to their condition. I am unable to say how often the inspector visited the islands during the past year at such short notice.

LORD EMLY'S LIMERICK SPEECH.

*SIR J. COLOMB: On behalf of the hon. Member for the Torquay Division of Devonshire, I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if his attention has been called to a speech made by Lord Emly at Limerick on the 29th ult., which, if correctly reported, would constitute an incitement to commit a breach of the peace; and whether he proposes to take any action in the matter.

MR. G. W. BALFOUR: My attention has been directed to a newspaper report of the speech in question, which, as reported, is of the character mentioned. The meeting at which the speech was delivered was, however, held indoors, and there is no evidence forthcoming of the language used on the occasion.

ENNISKILLEN CEMETERY.

MR. ARCHDALE (Fermanagh, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that, prior to the Local Government Board Order of 15th May, 1899, the area of charge for maintenance of Enniskillen cemetery was not the electoral division of Enniskillen, which then comprised the present district electoral divisions of Enniskillen urban and Enniskillen rural, and that by Article 1 of the above Order the area of charge in future for the cemetery is Rural District No. 1, which does not comprise the district electoral division of Enniskillen urban, and as the Local Government Board have refused to alter that Order, will he take steps to include Enniskillen urban division in the chargeable area, as the cemetery has been since its opening used almost entirely by inhabitants of the said town, and was provided to meet their requirements, one of the town graveyards having been closed by order of the sanitary authority.

MR. G. W. BALFOUR: The graveyard is situated in the rural district, and is vested in the rural district council. The Board have been advised that the expenses incurred by the rural district council, as a burial board, should be charged on and paid out of the poor rates of the rural district. The Local Government Board cannot include the urban district in the area of charge so long as the burial ground remains the property of the rural district council. The rural and urban district councils have been advised by the Board to consider the question of transferring the cemetery to the urban district.

LABOURERS' COTTAGES IN CARRICKMACROSS UNION.

MR. DALY (Monaghan, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the arbitrator, in reference to the scheme of labourers' cottages in Carrickmacross Union, now nearly completed, made the following charges—namely, correspondence with clerk, one hour, 10s. 6d.; travelling, four hours, £2 2s.; rail to Carrickmacross, £1 1s. 4d.; one night from home, £1 1s.; hearing claims, ten hours, £3 3s.; inspecting sites and back to Belfast, nine hours, £3 3s.; making up valuation and forming award, six hours, £3 3s.; completing award, four hours, £2 2s.; whether he can explain why in one instance that the arbitrator charged 10s. 6d. per hour, and in another 6s. 4d. per hour, whether the arbitrator can charge what he pleases, and if he is a servant of the Government; and whether he can state if the Local Government Board received any of the money in the arbitrator's account charged to the Carrickmacross Board of Guardians, and whether he will inquire into these charges with a view to a refund.

MR. G. W. BALFOUR: The expenses of the arbitrator are accurately set forth in the first paragraph. The apparent discrepancy referred to in the second paragraph is thus explained: the usual fee is £3 3s. per day of not less than six hours, which is equivalent to 10s. 6d. per hour, whereas the arbitrator charged that fee in respect of one day of ten hours work, which was equivalent to 6s. 4d. per hour. The arbitrator's expenses are paid according to scale, and he cannot charge what he pleases. He is not a paid servant of the Government. The whole of the amount was paid to the arbitrator himself, and no portion was received by the Department. The guardians were invited to submit any objections to the payment of the account. Apparently, however, they considered the charges reasonable, for they at once paid the arbitrator the full amount of his claim. It is not intended to make any further inquiry in the matter.

CARRICKMACROSS INQUIRY—SHORTHAND WRITER'S FEES.

MR. DALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the shorthand writer charged the Carrickmacross Board of Guardians £25 5s. during the last inquiry in reference to the erection of labourers' cottages in that union; and whether he can state if the sum mentioned was charged by scale, or if he can explain how this account was made up.

MR. G. W. BALFOUR: The account referred to in the first paragraph was furnished in relation to an inquiry held in April, 1898. The charges made by the shorthand writer were strictly in accordance with scale.

EDUCATION—NEW SCHEME—POSITION OF INSPECTORS.

MR. HARRINGTON (Dublin, Harbour): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, as in the new scheme proposed by the National Board of Education in Ireland the six head inspectors are reduced to the same rank as sixteen of the subordinates who have been serving under them, he can state if this reduction also involves a loss in certain emoluments which attached to their office, and whether it is intended also to prevent the head inspectors in future from reaching the higher offices which have hitherto been open to them; and have the head inspectors protested against this change in the conditions upon which they entered the service, is it the intention of the Commission to compel them to accept the change without any compensation, and will the whole scheme of the Commissioners be laid before Parliament before being finally adopted.

MR. G. W. BALFOUR: The six head inspectors have not been reduced in rank, though their title has been altered and their sphere of duties somewhat changed; but sixteen district inspectors have been promoted to the same rank as the head inspectors. Both the salaries and the possible pensions of the head inspectors have been considerably increased. The old scale of salaries commenced at £500. The maximum was £600. The maximum of the new scale of their salaries is £700, an increase of £100 per annum, or 16·6 per cent. The highest possible pension a head inspector could obtain under the old scale was £400 per annum. Under the new scale he can obtain a pension of £466 13s. 4d., an increase of £66 13s. 4d

per annum, or 16·6 per cent. No change has been made in the rates of travelling expenses or of personal allowance to these officers. It has never been contemplated that these allowances were to be a source of additional emolument to the officers receiving them, but were merely to cover actual expenses out of pocket. The Commissioners have made no new rules in regard to the higher offices in their gift, in the filling of which they have always exercised, and will continue to exercise, their own unfettered discretion. The head inspectors made certain representations to the Commissioners in regard to their change of title from head inspectors to that of senior inspectors, the contemplated changes in the duties to be in future assigned to them, and the possible loss of emoluments from perquisites derived from their allowances. These representations were fully considered. No change whatever has been made in the conditions under which those inspectors entered the service, except that, as already stated, their actual and prospective salaries have been improved. The change in the regulations regarding the inspectorate, which are for the benefit of all the inspectors (including the six officers referred to in the question), and also for the benefit of the great body of the teachers, have been carefully considered in detail by the Irish Government, the Treasury, and the Commissioners, and have been fully approved generally in connection with the entire new scheme.

MR. CLANCY (Dublin County, N.): When will the new scheme be published?

MR. G. W. BALFOUR: I cannot say precisely.

MR. CLANCY: Will it be in the hands of hon. Members before the Vote is taken?

MR. G. W. BALFOUR: I will endeavour to secure that.

MR. CLANCY: Does not the right hon. Gentleman think it absolutely necessary that the Irish Members should be in possession of the scheme before they discuss the Vote?

[No answer was given.]

TEACHERS' REMUNERATION—RESULT FEES.

MR. FLAVIN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he can state if Irish National school teachers will be paid by way of usual result fees such sums of money as will compensate them fully for the educational instruction given by said teachers in their several schools as from the date of their last examinations up to the 31st March, 1900, between which dates they have received no result fees.

MR. G. W. BALFOUR: Results fees were abolished from the 31st March, 1900. Every teacher will, however, receive an equivalent payment for result fees that would have accrued up to the 31st March last had the results system continued in operation. This has been explained to the teachers and managers by a circular letter from the Education Office.

ARDSTRAW NATIONAL SCHOOL TEACHERS.

SERJEANT HEMPHILL (Tyrone, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he can state upon what grounds payment of the salary of the assistant teacher of the National school at Ardstraw, in the county of Tyrone, which accrued between 1st October, 1898, and 1st January, 1899, was withheld, although the required average of sixty pupils was more than maintained during that period, and although payment of such salaries on an average of sixty pupils was sanctioned by the Treasury as from 1st October, 1898.

MR. G. W. BALFOUR: I am informed by the Commissioners of National Education that the salary of the assistant teacher of the National school at Ardstraw for the quarter ended 31st December, 1898, has not been paid because the claim made by the manager was not from 1st October, but from 1st August, 1898, and such claim cannot be allowed. Before the 1st October, 1898, a quarterly average attendance of seventy pupils was required for recognition of an assistant, and this condition was not fulfilled. A claim for salary from 1st October, 1898, if made, will be favourably considered.

MUNSTER DAIRY SCHOOL AND AGRICULTURAL INSTITUTE.

MR. FLYNN: I beg to ask the Vice-President of the Department of Agriculture for Ireland whether his attention has been called to the meeting of the Munster Dairy School and Agricultural Institute at Cork on the 2nd instant; and whether, in view of the general testimony as to the valuable results in respect to the dairying industry brought about by the instruction given in that school and by the employment of itinerant dairy instructors, and of the statement of the President, the Department of Agriculture will undertake to give equal encouragement to the dairying industry as to the creamery system.

THE VICE-PRESIDENT OF THE DEPARTMENT OF AGRICULTURE FOR IRELAND (Mr. PLUNKETT, Dublin Co., S.): Attention has been drawn to the report of the meeting held on 2nd instant in connection with the Munster Institute. The Department fully intends that in the development of the Institute every feature of its work which has been found of utility to the farming community, such as intinerant dairy instruction, will be continued. The Department will give due attention to all forms of the dairying industry.

IRISH PRISONS—SICK REGULATIONS.

MR. J. F. X. O'BRIEN (Cork): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, having regard to the fact that, as deposed to by Dr. Moriarty and also by Governor Andrews at the recent inquest on Andrew Cull, at Cork Prison, the doctor of a prison has the right to report to the Prisons Board that any prisoner suffering from ill-health should be discharged where the doctor believed further imprisonment would endanger the prisoner's life; whether, as also deposed to by the doctor, there were occasions when his recommendations for the discharge of prisoners because of ill-health were ignored by the Dublin Castle authorities; and will he cause inquiries to be made in this matter.

MR. G. W. BALFOUR: It is the duty of the medical officer of a prison, when he considers a prisoner's life to be in danger by further confinement, to at once report his opinion to the Prisons Board. The medical officer of Cork Prison states he has recommended the discharge of one or two prisoners, although the Lord Lieutenant did not consider there were sufficient grounds for acting upon the recommendation. As I have already stated, the exercise of the power to discharge a prisoner is vested in the Lord Lieutenant alone, and the question whether a recommendation of the medical officer in this respect should be acted upon is one entirely for his Excellency's decision. I see no reasons for directing any further inquiry in the matter.

EVICTION ON THE WARDEN ESTATE.

MR. FLAVIN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he can state what amount of arrears were due on the farm from which Hussey was evicted on the Warden property; whether the arrears due accrued during the tenancy of Hussey's predecessors; and whether he can state if Hussey, prior to his eviction by Mr. Warden, offered to pay twelve months arrears, and if so, whether this offer of Hussey was accepted by the landlord, and will he cause inquiry to be made in this case.

MR. G. W. BALFOUR: The arrears due on the holding from which Hussey was evicted amounted to £11 12s. 6d. He had paid no rent, I believe, since he was put into the farm as sub-tenant. I have no information as to the last paragraph.

MR. FLAVIN: Can the right hon. Gentleman say whether this man did not offer twelve months arrears of rent?

MR. G. W. BALFOUR: I have no information on that point.

MR. FLAVIN: I will repeat the question.

MR. G. W. BALFOUR: It is of no use doing that. I have no power in the matter.

VALENCIA HARBOUR AND CAHERCIVEEN RIVER.

MR. FLAVIN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that inconvenience is caused to fishermen and injury to their boats for the want of a perch or buoy in the Caherciveen river, and that

communications have taken place between fishermen in the district and several Government public boards in connection with this matter; and whether, seeing that Kerry County Council unanimously passed a resolution requesting the Government Department to take action in the matter, he will take such steps as may be necessary for the erection of the perch or buoy for the better security of fishermen and their boats. I beg also to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the Kerry County Council unanimously passed a resolution asking that the Government should erect a buoy or perch on certain rocks in Valencia Harbour—namely, to perch a rock known as Lackavallig, and also to place a bell buoy on a sunken rock almost opposite Valencia Island lighthouse, and north-west of Begrish Island; and whether, seeing that the absence of this perch and bell buoy causes danger to life and property in the districts mentioned, he will give a favourable consideration to the request.

MR. PLUNKETT: The resolutions of the county council, to which reference is made, were considered by the Congested Districts Board at their meeting held in April last, when it was decided that the Board could not undertake either of the works mentioned. The Board have been advised that the works could only be carried out by a local lighthouse authority within the meaning of the Merchant Shipping Acts.

ROADS BOAT SLIP, SOUTH KERRY.

MR. FLAVIN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that inconvenience and hardship is caused to a number of fishermen in the surrounding districts owing to the unfinished state of the Roads boat slip, in South Kerry; and whether, having regard to the fact that a portion of the people have to subsist on the fishing industry, steps will be taken to give the fishermen improved facilities at the Roads boat slip for the safe launching and landing of fishing boats and better security of human life.

MR. PLUNKETT: The question of effecting improvements in the boat slip at Roads is at present under the consideration of the Congested Districts Board.

THEFTS OF AGRICULTURAL PRODUCE IN TRANSIT.

MR. ARCHDALE: I beg to ask the Vice President of the Department of Agriculture for Ireland if his attention has been called to the losses suffered by Irish farmers owing to the pilfering and wholesale robbery of their butter and other produce during its transit to customers in England; and whether the Department can devise some means, either by the appointment of an official to supervise all rates and charges or some other way, by which such losses can be prevented.

MR. PLUNKETT: The attention of the Department has been directed to complaints of the character mentioned in the question. The matter is at present under the consideration of the Department.

MILITARY LANDS BILL [Lords].

Read the first time; to be read a second time upon Monday next, and to be printed. [Bill 285.]

VOLUNTEERS BILL [Lords].

Read the first time; to be read a second time upon Monday next, and to be printed. [Bill 286.]

MESSAGE FROM THE LORDS.

That they have agreed to the Commonwealth of Australia Constitution Bill, without amendment.

That they have passed a Bill intituled, "An Act to extend the operation of The Union of Benefices Act, 1860." Union of Benefices Act (1860) Amendment Bill [Lords].

Queen Anne's Bounty Board (Joint Committee).—That they propose that the Joint Committee appointed to consider the constitution of Queen Anne's Bounty Board, and to report whether economy and efficiency of administration would be promoted by any change in its constitution or by its amalgamation with any other body, do meet in Committee Room 1A on Monday next at half-past Three of the clock.

So much of the Lords Message (this day) as relates to the time and place of meeting of the Joint Committee on Queen Anne's Bounty Board, considered.

Ordered, That the Committee of this House do meet the Lords Committee as proposed by their Lordships.

Message to the Lords to acquaint them therewith.—(*Sir William Walrond.*)

SUPPLY [17TH ALLOTTED DAY].

Considered in Committee.

(In the Committee.)

[Mr. J. W. LOWTHER (Cumberland, Penrith) in the Chair.]

CIVIL SERVICES AND REVENUE DEPARTMENTS ESTIMATES, 1900–1901.

CLASS II.

1. Motion made and Question proposed, "That a sum, not exceeding £8,095, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1901, for the Salaries and Expenses of the Office of Her Majesty's Secretary for Scotland and Subordinate Offices, including a Grant in Aid of the Congested Districts (Scotland) Fund."

MR. HEDDERWICK (Wick Burghs): I rise to move a reduction of this Vote in connection with the sum devoted to the Congested Districts Board; and I have put down the notice of reduction in order to indicate that we who represent northern constituencies in Scotland have something like a Scottish grievance in connection with the action of the Congested Districts Board generally. In May last* this Committee sat to consider a proposal to vote a grant in aid to this very Board, and on that occasion I made some comments on the action of that Board which could scarcely be construed as in any degree favourable to it. However, it is right I should point out that there was no Report on the action of the Board in the hands of the members of the Committee at the time the Vote was brought under debate. The Lord Advocate, in his reply, accused me of making irresponsible charges, of speaking in ignorance, and of using wild and rash language. I make no complaint personally with regard to that. So far as I am concerned, I pay no attention to it at all. But there was much more than a mere personal element in the right hon. Gentleman's speech, because, if the charges I made were irresponsible, if I spoke in ignorance, and if I used wild and rash language, it is perfectly obvious that the only inference to be drawn is that there was no foundation for those charges, and that they ought never to have been made. Now, this House has, and, indeed, ought to possess, great power over the public purse, and I cannot help thinking it is a very unsatisfactory state of affairs when you have a Government coming to the House and asking for money before it has produced any Report on the action of the Board by which that money is to be spent. It is obvious, if the Government will not publish Reports before Votes are taken, that it is impossible for Members who are asked to discuss the Vote to be thoroughly possessed of the facts which are in the possession of the Government. I certainly cannot understand why we should not have had the Report before the grant was asked for, seeing that the Lord Advocate had a copy of it in his hand and treated the Committee for about three-quarters of an hour to a lecture based on the very document which had been withheld from the members of the Committee. He said that the charges I made were irresponsible. By that I understood him to mean that they were of no significance, and were not founded on fact. What were the charges I made? In the first place I said that the money granted to the Congested Districts Board had been granted mainly for two purposes; one for the purchase of land to relieve the congested districts of Scotland, and the other for the promotion of migration. I added that the Government had not expended a single sovereign in the purcase of land for the purpose indicated, and neither had they migrated a single crofter. Were these charges irresponsible? Were they true or not? In February last the Lord Advocate said that £1,451 had been actually expended on migration; yet not a single crofter has been migrated, judging from the Report which has recently been placed in our hands. I see a good deal there about the spraying of potatoes, so perhaps the right hon. Gentleman, in speaking of migration, refers to the migration of microbes. I charge this Congested Districts Board, which has been in existence since 1897, and in possession of public funds for the purpose of procuring lands in order to relieve the congested districts, that they

* See *The Parliamentary Debates* [Fourth Series], Vol. lxxxiii., page 649.

have not purchased any land, and have not relieved any congestion in the northern districts. The Lord Advocate cited one specific instance with regard to the Strathnaver holdings, but that scheme appears to have been a total failure, for not a single crofter took advantage of it, and it has practically been abandoned. The words of the Report on this point are—

"From this document [resolutions passed at a meeting at Bettyhill] it will be seen that the condition proposed by us which seemed to cause the greatest difficulty in the way of the success of our scheme, was that which had reference to taking the sheep stock at valuation."

And again—

"It seemed difficult, therefore, in view of the disappointing response, to proceed further with the scheme as proposed, and it appeared as if the insufficiency of the number of suitable applicants would make it necessary for us to decline to purchase this portion of Syre."

I should explain that there were only twelve applicants for eleven of the sixteen holdings, and of these several stated that they would not take any portion of the present stock, although it was offered to them at a price to be fixed by agreement instead of by valuation. The Board continue—

"In these circumstanes the Board regret that they do not feel justified in proceeding with the scheme, and cannot accept the offer which you [*i.e.*, the applicant] has made. They may possibly even be obliged to relinquish the option of purchase of the farm in question, and abandon the attempt to make it available for small holdings, a result which the Board would deeply regret."

I cannot help thinking it was scarcely generous on the part of the Lord Advocate to accuse me of making irresponsible charges, when he at the same moment held in his hand a copy of the Report from which I have just quoted. There has been a meeting of some members of the Congested Districts Board and a number of gentlemen representing the crofters of Sutherlandshire, in which this scheme was carefully gone over, and the very items I have pointed out are amongst those to which strong objection was taken by the crofter representatives. It has been pointed out that three-fourths of the population are not in a position to touch such holdings as were proposed by the Congested Districts Board. It has been shown too—and the Lord Advocate himself should have known it—that to ask the crofters to take over sheep at a Highland valuation was a thing which no shrewd man or no man of common sense, who knew anything about the Highland valuation of sheep, would have anything to do with. There was also a proposition that these unfortunate crofters should take advantage of what was described by the Lord Advocate as being a very handsome condition—they were to pay so much in respect of the shootings over the lands. But the land had been cut up into innumerable small holdings, and if the shootings were to be cut up in the same way and given to a large number of small proprietors what value would have attached to them? Could the Lord Advocate have guaranteed that the value of the shootings would have continued for any length of time? A scheme containing such a condition could not be applicable to small crofters, who have the greatest difficulty in the world in keeping body and soul together. It is simply absurd and preposterous. I say, therefore, that the charges I made were not irresponsible but were well founded, as is borne out in this very Report. I may further point out that the Board actually desired to charge these crofters at the rate of 3s. 10½d. per yard for fencing. Anyone must know that that is too high a figure for such fencing as is put up in these places. I know that when I have had any put up I have had it done at a lower price, and, therefore, when you are dealing with men of small means, or with no means at all, I think one is entitled to claim that they should not be subjected to such exceptional charges. Then I come to the Borve holdings, and I will quote this paragraph from the Report—

"From Mr. Carmichael's report we learned for the first time that it was considered impracticable to cut the farm up into twenty-four distinct lots, and that it was now proposed to mark off twenty-four small blocks of land beside the houses, amounting in all to little more than eighty acres, and that the remainder of the farm should be held and worked in common."

The Board finish up on this point by frankly stating that the only lot which was applied for was taken by the Free Church minister. I have no objection to this, but it is surely reducing the efforts of this Board to an absurdity when you find that the only result of their attempt to reduce the congestion of the crofter districts in the Highlands is an assignment of a holding to a Free Church minister,

who certainly cannot be considered to be a crofter. Then the Board started apparently to get feus for fishermen. They got a plot of land of about seven acres near Stornoway. What was the result? The Report tells us that—

"At the expiry of the period fixed in the notice the only applicant was a fisherman from Garrabost, who appeared to be a suitable person for the purpose we had in view, but as he was the only applicant for any one of the twenty-nine feus proposed we had to express to him our regret that it was impossible for us to proceed further with the scheme."

This, the third scheme of this Board, proved to be an absolute futility. Now I come to the Glendale holdings, with reference to which the Commissioners say—

"We entertained the application favourably, and were prepared to accede to it. But meantime it transpired that the proprietor had made other arrangements as to the said lands, and the application was withdrawn."

Then comes the Bay Farm (Skye) scheme, as to which the Commissioners say—

"This scheme includes the formation of certain roads and the erection of a boundary fence. If carried out there is reason to hope that it may be attended with success."

There you have from the Report of the Commissioners themselves the whole account of their endeavours to relieve the congested districts in the north of Scotland by the purchase of land, and I say again, as I said in May, that the main purpose for which this House voted a sum of money and entrusted the expenditure of it to the Commission has practically failed. They have done nothing in the direction it was intended they should go We know from the Lord Advocate that last year they spent over £2,000 in administrative expenses, a sum which, I suppose, goes in large salaries to certain gentlemen or officials connected with the Board. But, so far as the main purposes of the Congested Districts Act are concerned, the work of the Commissioners has been futile, and the charges which I made, and which the Lord Advocate represented to be irresponsible, were charges which have unfortunately only too much substance. They have done something, of course. They have devoted some attention to bee-keeping, and we learn from their Report that they started with three hives, swarms, and outfits, which were sent to a certain man in the Highlands. I gather also that they sent 143 sittings of eggs to various parts, and they have purchased a certain number of bulls, rams, and stallions in order to improve the breed of stock in the Highlands. I do not deny that all this is very desirable, but it was not the main object for which this money was voted by the House of Commons. Certain work has been done, or is promised to be done, in regard to piers and roads. No doubt that, too, is desirable, especially if the piers are put in places which are suitable; but from my experience in connection with the neighbourhood, while the Orkney Commissioners have erected piers at great expense in places where there is no very considerable traffic, they have absolutely refused to consider the question of erecting a pier at St. Margaret's Hope, where mail steamers call, and where one is very desirable indeed. Bearing in mind all the facts I have stated, I submit that this Committee is entitled to use its discretion as to continuing to vote money for a Board which does not devote it to the real purpose for which it was originally granted, however desirable may be the objects to which it is actually applied. There is another matter with which I must deal before I sit down. In the debate in 1899, the Lord Advocate took credit for a scheme which had been in embryo. It was a scheme of the Secretary for Scotland to devote a considerable sum of money for a specific purpose. That purpose was technical education, and the Lord Advocate, in the course of his speech, said he was glad to think that when hon. Members had in their hands copies of this Report which I now have in my hand they would perceive that the responsibility for the failure of that measure to pass had been put on the right shoulders—namely, the shoulders of myself and the hon. friends who sit beside me. I do not think, if I may be allowed to say so, it is proper to use a Government Report as a means for making an attack on any of the hon. Members of this House, but it is still worse when that attack is made by a member of the Government who has a Report in his hand which is not in the hands of the Members he is attacking. While seeking to say the least offensive thing I can, I must say that I never heard a smaller-minded thing said in this House than was said by the Lord Advocate when he said he was glad to think that the responsibility for that

failure would be put on the right shoulders—meaning that this Report would go down to the constituencies, and that the constituencies would see who their friends were, I presume. There was an informal meeting held in the Lord Advocate's room last year, by invitation of the Secretary for Scotland, to consider this very scheme, and I should have thought myself that, being an informal meeting, no one would venture to mention it in this House. But it has been mentioned, and I feel perfectly free to say anything I know on the subject. You see in the Report that the Board endeavour to throw the responsibility for the "blocking" of the Bill on the Members for Northern constituencies.

*THE LORD ADVOCATE (Mr. A. GRAHAM MURRAY, Buteshire): The hon. Member will pardon me. What I said about the "blocking" of the Bill surely referred to a public matter.

MR. HEDDERWICK: I accept what the Lord Advocate says. At the same time I am sure hon. Members sitting on this side will remember that the matter was specifically referred to, and also the fact that there had been a meeting.

*MR. A. GRAHAM MURRAY: In my opinion it is very much to be deprecated that you should make allusions to what was done at a private meeting. I certainly should have transgressed had I made allusion to that. Personally I think it is a rule that ought not to be transgressed. There is not a word in my speech about that matter.

MR. HEDDERWICK: My recollection of the debate does not exactly tally with the statement the Lord Advocate has just made, but I will accept the statement. It is quite possible that my memory may be wrong and his accurate. I shall not make any further reference to what took place at the meeting.

*MR. A. GRAHAM MURRAY: I have got *Hansard* before me.

MR. HEDDERWICK: I shall pass from that at once, but I think I am entitled to say this—and I do not think the Lord Advocate will dispute it for a moment — certainly for one I really approved of the scheme so far as I knew it, but I did not approve of the scheme until I had ascertained that there were available funds in the hands of the Districts Board Commissioners—a balance of money which might be applied to some other purpose which the Secretary for Scotland might think desirable and in the interest of the crofters in the Highlands. The Report itself fortunately contains a copy of the Bill which was proposed by the Secretary for Scotland, and which was not passed. You will find that that Bill is in the most general terms possible. There is not a word about technical education in the whole Bill. I think it is simply to the effect that power should be given to the Secretary for Scotland to utilise the money for any purpose which he might think proper. I confess that my hon. friends who took the view they did take, and who refused to allow that Bill to proceed, may very well be justified, because no one could foresee what the purposes were in the mind of the Secretary for Scotland to which he intended to devote this money if the power had been given to him to do so. When you consider the large sums of money which the Commissioners have had in their hands so long, and which have not been applied to the purposes for which they were voted by the House, I confess my hon. colleagues will have an admirable case before the constituencies if it should be sought by the Lord Advocate to use this sentence which occurs in the Blue-book and which is an endeavour, in point of fact, to throw the responsibility on their shoulders for the failure. I do not know whether it is a failure or not, because the scheme never passed into being; and unless it was for technical education it is impossible for me to say what the purpose was. I deprecate the insertion in Reports issued as Government Reports of party attacks, and the more especially is that form of political warfare to be deprecated when those attacks are made by a Member of the House in the honourable position of Lord Advocate, who is himself the only person who has a copy of the Report he is reading in his hand. One might say a great deal more on this subject, but I feel myself that enough has been said. I wish to point out to members of the Committee that, in point of fact, while the administrative expenses have been going on in connection with this Congested Districts Board, there has been no expenditure by the Board upon the purposes

for which the money was voted by the House of Commons, although now three years or more have elapsed since the money was voted. Having regard to the fact that this Report, as I said before, is a futility as far as any practical performance is concerned, I beg to move a reduction of the Vote by £500.

Motion made, and Question proposed, "That Item E (Congested Districts Board) be reduced by £500."—(*Mr. Hedderwick.*)

*MR. WEIR (Ross and Cromarty) said his hon. friend felt very strongly the observations made respecting him and his colleagues on that side of the House in connection with this matter. He was not going to refer to the interview which Members of the House had with the Secretary for Scotland. He considered that interview private, and had kept his mouth closed. The Lord Advocate would not deny what he stated to the House the last time the matter was discussed. The hon. and learned Gentleman said he was one of those who blocked the Bill. That statement was absolutely false and unfounded. The Lord Advocate had no right, in the position he occupied, to make statements which were inaccurate and without any foundation with regard to the attitude and conduct of Members. The Lord Advocate at that time entrenched himself behind a Report of which Members of the House had no knowledge whatever. It had not been issued. He thought that was a most unfair advantage to take of Members. In the Report they found on page 7—

"It was obviously inexpedient for us to enter upon any enterprise which we were not quite sure we should have the right to carry through in all its developments, and we were advised that the clauses of the Act did not cover certain of the objects which were pressed upon us by those who knew the necessities of the Highlands very thoroughly. Early in 1899 we urged that a short Bill should be prepared giving us power to apply a portion of our funds for purposes other than those set forth in the Act of 1897, when we were satisfied that the expenditure would be for the benefit of the inhabitants of the congested districts. A copy of this Bill will be found in the appendix. It was introduced in the House of Lords by the Secretary for Scotland and passed through the various stages there; but as it was opposed and 'blocked' by some of the Members for the constituencies which would in our opinion have most benefited by its provisions, it had, in the state of public business, to be withdrawn at the end of July, 1899."

The constituency he represented was the constituency that would receive the greatest benefit from any such scheme as this, and he was particularly careful to impress this on the Lord Advocate. He was careful to avoid interfering in any way with the progress of the Bill. He was anxious that it should become law, and that there should be in Stornoway, in the island of Lewis, a scheme carried out for the purpose of giving technical instruction. He was particularly careful not to do anything to hinder or hamper the Bill, and yet the Lord Advocate months afterwards got up in his place and made a charge against hon. Members with respect to the withdrawal of the measure. The statement was false and contemptible.

*MR. A. GRAHAM MURRAY: What I did say—I am reading now from *Hansard*, which was revised by myself at the time; and as far as my recollection goes I know of no reason to question the accuracy of the report—what I said was—

"Hon. Members know that the Bill was blocked by hon. Members opposite belonging to those very portions of the country whose constituents would have been benefited, and the responsibility for that failure I am very glad to put upon their shoulders."

The Member for Wick then said that he had not blocked the Bill, and the Member for Ross-shire said he had not blocked the Bill, and I accepted the disclaimer, but said that the hon. Member had been one of those who prevented it passing.

*MR. WEIR again denied that he had done anything to hinder or hamper the progress of the Bill, and it was most ungenerous to allege that Members of the House blocked the measure. Probably it was thought that such a statement might catch votes. If it did catch a stray vote or two it was a most contemptible mode of securing them. With regard to the migration of crofters, he had asked several questions during the session, but had always been told to wait until the Report was published. On the 30th March he asked the Lord Advocate how many crofters had been migrated with the assistance of the Congested Districts Board, and the reply was that none had actually been migrated. And yet that was the very object for which

the Act of Parliament was passed! There was an expenditure during the year of £8,000, of which £2,114 12s. 4d. went in administrative charges. The charges had diminished slightly since, but certainly it was not a satisfactory way to conduct the business to have such excessive charges for administration. If the directors of any commercial enterprise tolerated any such expenses, they would be cleared out very quickly, but because this was a Government Department, they were required to submit to them. The Committee had every right to object to this state of things, and he trusted the Amendment would be pressed to a division, as that was the only way in which a protest could be lodged against the conduct of the Board. There were a few matters in the Report to which he desired to refer. On page 7 there was this paragraph—

"A shipowner who is impressed with this difficulty offered us the free use of a ship for six months to try an experiment he suggested. This ship had previously been used as a tender to a training ship, and had every requisite on board for the purpose suggested. The proposal was that there should be a vessel with accommodation for about fifty boys, where for three months or the like period each lad should receive rudimentary instruction in sea life and its usages before being drafted into the regular training ship."

There was no further information, and he should like to know whether that offer had been accepted, and if it had not, whether the Admiralty had been approached with a view to getting a training ship at Stornoway. Highland boys would not go to the lowlands of Scotland to these training ships. Then came the question of holdings, migration, and fishermen's dwellings. Reference had been made to some land in the Island of Lewis, for which it was arranged the tenants should pay £1 5s. per quarter-acre. It was monstrous that they should be expected to pay £5 per acre. Besides, what could be done with quarter-acre plots? If only, instead of coming to Parliament and talking on subjects they knew nothing about, the Lord Advocate, or the Secretary for Scotland, or some other responsible person, would visit these islands and find out how the people lived, they would have more sympathy for Highland crofters than they now evidenced. There were twenty-six of these plots, but he was not surprised to find there was only one applicant. It was impossible for people to enter into such arrangements as were imposed; they would only saddle themselves with burdens they could not bear. Statements were often made in the House that the Highlanders had the means but would not pay. That was not true. The Highland crofters were honest and industrious, and they were willing and anxious to pay 20s. in the £, and not 5s. or 10s., as the House was frequently led to believe. What were the Board going to do in the matter? Were they going to say there was no possible chance of getting any land in the Island of Lewis? Were they going to throw up the sponge and say they had exhausted every means for securing land? When the Bill was passing through the House he had urged there would be great difficulty in securing land, because there was no clause providing for compulsory acquisition. What was the Board going to do about the waste land in the Island of Lewis? Was it impossible to make any better arrangements with the landlord? The Committee were entitled to some information on this subject. Then there was a letter sent from the Landward Committee, Stornoway, as to conditions of feu of fishermen's dwellings. Mr. Macfarlane, clerk of the Stornoway Parish Council, acting on behalf of the people, wrote to the Congested Districts Board asking them for information as follows—

"'Each house to be used as a dwelling house for one family and for no other purpose.' Please say does this mean that the feuar will be prevented from keeping a lodger or lodgers? 'Keeping a shop or carrying on a trade on the feu.' Does this rule prevent the feuar from selling even bread or groceries in any part of his house? Or if the feuar fisherman should happen to be a tradesman, is he prohibited from working at his trade, should he be unable to follow the fishing? Is the feuar's wife or other female member of the family prohibited from conducting, say, a small dressmaking or millinery business?"

We would expect the Congested Districts Board to be able to give a direct and straight answer to such questions; but what was their reply? On the 27th December, 1899, they said—

"For trading or business purposes the rate of feu duty would be substantially higher."

The selling of a few sweets or loaves of bread would make it a trading or business place, and the feu duty would be substantially higher. That was a specimen

of sympathy with the people! According to paragraph 2—

"If the house remains essentially a dwelling-house the Board do not think that the feuar's wife would be prohibited from carrying on such an occupation as dressmaking, nor do they think the feuar himself, while pursuing his occupation as a fisherman, would be prevented, in his spare time, from engaging in such mechanical or other industry as can be carried on in a dwelling-house."

Was it likely any crofter would take a feu on such a statement as that? The crofter wanted to know absolutely whether or not his wife or daughter would be permitted to carry on a dressmaking business, but the reply of Mr. R. Macgregor, the secretary to the Board, was that the Board "did not think" she would be prohibited from doing so. Then Mr. De Moleyns was sent up for the purpose of explaining to or teaching the people the potato-spraying process. That gentleman issued a report on the 12th August, 1899, as to the experiments, and he did not afterwards go near the places nor send any competent person until 21st October, when, upon arriving at Stornoway and visiting the various places in the island, he found all the potato lifting had been done. Surely instructions should have been issued by the secretary to the Board. This was how the money of the Congested Districts Board was squandered. He wished to know something about the construction of the Carloway Road. They had carried on the work from two ends, and they had got stuck in a bog. If they drove along that road from Stornoway or Carloway, they would get to that bog, and no further. Was that a satisfactory condition of things? Was the right hon. Gentleman aware that £15,000 was granted by the Conservative Government in 1891 for that road? Was it for the purpose of catching votes in the 1892 election? He did not mind the Government getting votes, but they should not get them under false pretences. It was the duty of the Government engineer to see that proper plans were prepared, not to exceed £15,000, and if the road was likely to take £25,000 or £30,000, they had no business to start it. That was how matters were managed for Scotland. The receipts of the Congested Districts Board amounted to £78,129 6s. 10d., and they had a balance in hand of £60,134 6s. 8d. There were many other items about which he hoped the right hon. Gentleman would furnish them with the fullest information. The balance-sheet showed a balance in hand on the 1st of April, 1899, of £40,804. There was a sum of £15,000 from the Local Taxation (Scotland) Account, and £20,000 was the annual sum voted by Parliament in aid of the fund. Was that sum of money lying at the Bank of Scotland at interest? The miscellaneous receipts from agriculture were £1,403, and land and migration repayments of loans and interest £29 9s. 6d. As small loans in connection with land and migration the crofters had £1,310, and they had paid back their first instalments, which was very satisfactory indeed, and he hoped they should hear no more about crofters not paying their honest and just debts. On the other side of the account they found the administrative expenses amounting to £1,524.

Attention called to the fact that forty Members were not present (Captain SINCLAIR, Forfarshire). House counted, and forty Members being found present,

*MR. WEIR (continuing) said the Report disclosed a most unsatisfactory method of keeping the accounts. What they wanted, what they were entitled to, and what he should continue to press for was a detailed statement in the Estimates of the amounts expended under the various sub-sections. They were entitled to have the respective amounts expended under those headings. The Congested Districts Board had as secretary a man who was a clerk in the Exchequer Office in Edinburgh, and he received £650 a year for his services as chief clerk in that office. The Secretary for Scotland had appointed him to do the secretarial work of the Congested Districts Board of Scotland, and he took out of the Congested Districts Board's funds £150 a year. The Board also took another £150 a year from the fund for the purpose of paying a man to do the work which this clerk was not able to do in the Exchequer Department. Was that a satisfactory method of conducting business? They took £300 a year for the purpose of paying a secretary, and the same man had to attend to his duties at the Exchequer Office. No wonder he was not acquainted with all the facts. Had it never entered the minds of the members of the Congested Districts Board that it would be

very much better to give this sum of £300 to one man, who could give his whole time to the work of the Board? There were plenty of competent men to be found in Edinburgh for £300 a year, which was the sum now paid for doing the work badly. He hoped the Board would give this point consideration. He wished also to express his regret at the callous indifference of the Board to carry out the provisions of the Act of Parliament for the purpose of removing crofters from the congested districts. Several years ago the right hon. Gentleman said the scheme was well in hand, but why did the Board not carry it out? Not a single crofter had been migrated. This was certainly not in accordance with the promise of the Secretary for Scotland. He hoped the matter would receive the attention of the Government.

MR. BUCHANAN (Aberdeenshire, E.): I should like to say two or three words upon this Vote. A few weeks ago, when we had this question before us, the Lord Advocate read an extract from the Report which we have now got in our hands. We are much indebted to the right hon. Gentleman for giving us the opportunity, now that we are in possession of that Report, to discuss the subject with greater knowledge. One cannot help observing that there appears to be a useless expenditure of money under this Vote. It is not very easy to inquire into the origin of this expenditure during the past year, which has been transferred from one account to another without going back to the year 1891. The object of this expenditure was mainly for the construction of piers, roads, and public works in the Highlands. That remained as a Vote upon our Estimates till a couple of years ago. During the time that the Liberal Government was in office they made certain arrangements which they had not time to carry out, and they were naturally pressed as to what they would do in regard to them. They were not able to propose anything directly in the way of carrying out that Report, and as a kind of solatium they brought forward the Congested Districts Board Bill of 1897, which is the Act under which this Board exercises its powers at the present moment. The Board got very wide powers under that Act, although not wide enough for the desires of the present Secretary for Scotland, and they have had a large sum of money voted by Parliament every year since that time. Although in this Estimate we are only voting £20,000, there is an additional sum of £15,000 per annum paid out of the Local Taxation Fund, so that its income out of the public exchequer amounts to no less than £35,000 per annum. My hon. friend has already called attention to the fact that the Report we hold in our hands gives a statement of accounts down to the 31st of March in the present year, and gives us information down to the end of the last financial year. We find that they had in hand a balance of £60,000, while their expenditure during that year amounted to no more than £20,000. I think the year before it was something less than that amount. The Board are at the present moment quite unable to spend anything like the money that is voted to them by Parliament for the purposes for which they were created. As the Committee knows, this sum is not returned in the Exchequer balance, but is kept by the Congested Districts Board and allowed to accumulate in their hands, so that we find that the Secretary for Scotland on the 31st of March last had a balance of £60,000 in his hands, and he asks for £35,000 more this year to spend under the provisions of this Act of Parliament. Is it worth while that we should go on paying what is really the interest upon a million of money which is substantially in the hands of the Secretary for Scotland alone, to spend practically in almost any way he chooses in certain limited districts and counties in Scotland? I think the policy which permits such an expenditure of public money by the Secretary for Scotland is very questionable indeed, and it becomes still more questionable when we hear of the great want of success, to put it very mildly, of the effort which this Board has made to spend the money for the purposes provided for under the Act of 1897. I am not going into the details of this Report nor into the general purposes for which the money could be spent. My hon. friend the Member for Wick has alluded to the question of migration, and he has said very truly that in this respect the efforts of the Board to spend money in new settlements have proved practically futile. I think that view is entirely borne out by the Report itself. If we go into the other subjects and con-

sider the purposes for which this money has been spent we find the same result; in fact, I think it would require a humorist to deal with this Report, and that is not one of the characteristics of Scotch Members, and I am sure it is not one of my characteristics. I must decline even an effort to deal adequately with the transactions of a body supplying bulls and stallions, which are described in almost equally humorous language upon some of the pages of the Report, and they have met with an extraordinary want of success in carrying out their schemes of advancing seed potatoes. I say that it is humorous reading, but it is also a very serious matter, for it is a very great waste of public money to go on year after year voting this sum of £20,000 for purposes for which this Board, with all the desire in the world to spend the money, could not contrive a way of doing so. I should like to say a word as to the constitution of the Board as a spending authority. I say that it is really not a Board at all, for it is really the Secretary for Scotland, and he alone, who has all the power upon this Board. If anyone will take the trouble to look at the Act of Parliament he will see that the Secretary for Scotland makes all the rules, to begin with, to regulate the proceedings and the meetings of the Board. He has passed the Act of Parliament, and he names all the unofficial members on the Board, who are in a minority. He appoints a secretary, and fixes his salary. We have no record of the meetings of this Board, and it seems physically impossible to hold many meetings, because the majority of the members hold official positions in various parts of Scotland. The Secretary for Scotland has distinct control over one branch of the expenditure; he is himself chairman of the Board, and he reports to the Secretary for Scotland, so that he draws up the Report of this Board, presents it to himself, and then to this House. It is clear to anyone who looks into the matter that substantially we are voting every year a sum of £35,000 for the Secretary for Scotland to spend as he likes, and I do not think that is a proper expenditure of public money. I wish to add my word of protest against this expenditure. I do not think that such a remark should have been made in a Report laid before Parliament, particularly in a Report signed by a Member of the other House. Here is what appears on page 7 of that Report. A Bill

> "was introduced in the House of Lords by the Secretary for Scotland to extend the powers of the Congested Districts Board, and passed through the various stages there; but as it was opposed and 'blocked' by some of the Members for the constituencies which would, in our opinion, have most benefited by its provisions, it had, in the state of public business, to be withdrawn at the end of July, 1899."

I do not think such an observation should have appeared in any Parliamentary Paper. I do not think that it lies in the mouth of a Minister of the Crown to complain in a public document of the action of Members of this House in the discharge of their duty to their constituents, in full liberty and on their own responsibility. So far as my recollection goes I do not believe that any effort was made in this House last year to pass the Bill through the House of Commons. It never was put down to public discussion at a time when it could possibly come on. I go further and ask, if this Bill is of such great importance, if it was so absolutely necessary, in the opinion of the Congested Districts Board, that their powers should be enlarged, why was it not introduced this session? We have heard nothing of it since July, 1899, and I believe that unless we had been reminded of it by the paragraph in the Report of the Congested Districts Board the existence of the Bill would have passed entirely out of the memory of the Scottish Members. I am prepared to move the reduction of the Vote by £10,000, because I believe it is a waste of money. The Congested Districts Board are not able to spend the whole of it during the currency of the financial year. Moreover, I consider that it is demoralising to the people amongst whom it is spent. Trying to stimulate industries in districts of the country where such industries are totally unsuitable leads to extravagance, and does little indeed to encourage the independence of the people or to develop a better system.

DR. CLARK (Caithness-shire) said they had not the report of the Congested Districts Board in hand when the Scotch Estimates were last before the Committee. They, however, had now got it, and they knew what that Board had done during the past year. He, for one, was not

astonished that nothing had been done. He never expected that much would be done, because the Board had no powers under the Act to compel Scotch landlords to assist in giving land on which to settle crofters. Out of £35,000, which was voted by Parliament last year, the Board had only spent £1,500 on the migration of crofters. The emigration to Canada had proved a failure, and therefore it was proposed that that money should be spent in migration; but the Board had spent more in management than in migration. Moreover, in the one case where they had spent money, instead of placing the migrated crofters under the Crofters Act, which they ought to have done, they had planted them as leaseholders who did not enjoy the benefits of the Crofters Act, and thus the crofters had ceased to be crofters. That was a very shameful thing for the Board to do. Two schemes had been brought before the crofters—one in Sutherlandshire and the other near Stornoway. The price asked for the Sutherlandshire land was simply preposterous. Why, land was offered within fifty miles of London at a quarter of the price asked for the poor land in Sutherlandshire. In fact, the crofters would be better off by coming to Bedfordshire and Cambridgeshire, because they could get land there at half the price asked in Sutherlandshire. He was astonished at the Congested Districts Board bringing before the crofters of Stornoway a feuing scheme. The maximum size of the holding was a quarter of an acre. Of course, the thing was a farce and a dead failure. He expected that from the very beginning, and therefore was not disappointed. Until the Board got compulsory powers to acquire land no good would be done. He was inclined to vote for this grant of money ceasing altogether, because he did not see why it should be piled up and not spent for any useful purpose. He was not sure that it was not more baneful than stimulating at the present time. If the Board went to work on proper lines, some good might be done in Argyllshire and other parts of the west of Scotland.

*Mr. A. GRAHAM MURRAY: The hon. Member for Wick Burghs seems to complain bitterly of the language I used in a former debate. What I sought to contradict was the statement, which the hon. Member repeated to-day, that the scheme of the Congested Districts Board for the Strathnaver holdings was a preposterous one. One of his reasons for saying that the scheme was preposterous was that the sheep were to be taken over at a valuation; but the hon. Member forgot for the moment that although that condition was originally made, it was withdrawn by a qualifying notice issued on 8th January, and the scheme, as it was submitted, did not contain that provision in it. The letters of gentlemen who lived in the neighbourhood —one a clergyman and the other the convener of the county council—characterised the scheme as it then stood as a scheme which was a very fair and generous one. Therefore the hon. Member will find it was a humble protest on my part against applying anything like the epithet "preposterous" to this scheme. Regarding the statements of the hon. Member in which he said the Board were persons who had other things to do and were not in earnest, I do not think the word "irresponsible" was an unparliamentary epithet. The members were, as I pointed out, chosen because they were persons engaged in other avocations, in order to get, so far as we could, those who, in Scotland, could bring the maximum of experience to deal with this difficult subject. I do not consider it was a fair description of the efforts of these gentlemen who constituted this Board to say they were not in earnest. Another subject of grievance with the hon. Member was that the Report of the Congested Districts Board was in my hands and not in those of the Scotch Members. I explained on a former occasion that I was not responsible for fixing the particular date on which the Vote was to be brought forward. That had been arranged by the Leader of the House, who, as hon. Members know, is always exceedingly anxious to take hon. Members opposite along with him. The usual notice was given that the Scotch Estimates would be taken on that day, and no suggestion was made through the ordinary channels of communication that the Vote should not be taken then. So far I do not see what I could have done otherwise in the matter. Personally I think it is a great deal more fitting and convenient that the Vote should be taken after the Report is out, and certainly if I am spared to be in the same place in the year to come we will not have discussion

without the Report. But, at any rate, I have shown my view of the matter by putting this Vote down for discussion to-day. I can scarcely be held blameworthy when to a certain extent I quoted from the Report. The hon. Gentleman said that I read from the Report for three quarters of an hour; but, as a matter of fact, I only read two sentences of ten lines long each. It is natural that I should have justified the action of the Board by telling the Committee, as I did, precisely what the Board had been doing. I do not propose to go through, as I did on a former occasion, the detailed history of what the Congested Districts Board have been doing during the last year. I am content to let the Scottish people judge for themselves. On a perusal of the Report of the Board, which speaks for itself, it could not be said that the Board have been doing nothing, and have been a failure, because they have not been to any extent successful in migrating crofters. I am quite aware that this is a question which bulks very largely in the minds of some hon. Gentlemen opposite, who thought it was the one opportunity for usefulness above all others for the Congested Districts Board. They said that because, as a matter of fact, the Board have not been to any great extent successful in their migration schemes, therefore the Board are at fault. I deprecate that position altogether. So far as the policy of the Board is concerned, they do not propose to migrate crofters in any eleemosynary sense. They do not propose to do more than help those who are in the position to help themselves. The hon. Member spoke a good deal about the Strathnaver case; but there have been successful operations in other cases, although the holdings have been small, no doubt. But the Strathnaver case cannot even now be said to be a failure, because the whole matter is even now open, and, as a matter of fact, efforts are being made to induce crofters to settle there. Hon. Members must recollect that for any success in the direction of migration we must necessarily have time. I do not wish to say anything disrespectful of the people in the West Highlands, but anybody who knew them must be aware that they would be always glad to accept such benefits as Providence or anyone else may put before them, and that there will always be a strong desire to get a thing for nothing rather than pay anything for it. I have little doubt myself that, until it is seen that the settled policy of the Board is not simply to give the land away, but to help those who will help themselves, the people will hang back for better terms. The Board has only been in existence for two years, which is a very short time for experiments of an undoubtedly difficult character to get into such a position as to have a practical chance of success. Although I should be very far from saying that there is anything to entitle one to hold out a sanguine hope of assured success, I think this is a matter in which the House may be fairly asked to exercise to a certain extent the virtue of a little patience. What I do claim for the Congested Districts Board, and what a perusal of the Report will show to any fair-minded person, is that they had really been assiduous in this matter, and have tried their best and are still trying their best. Hon. Members have commented somewhat severely on the statement in the Report as to the proceedings on last year's Bill. I confess I cannot see anything wrong in that statement, or that it bears anything, so far as I understand it, of the nature of what may be called a party character. What was said was that the Bill was opposed and "blocked" by some Members whose constituencies, in the opinion of the Board, would have been most benefited by its provisions. Here is what I myself said when the Scotch Estimates were last before the Committee—

"With the view to procuring that power"

—which the Board had not got—

"my noble friend introduced last year a Bill, which passed all its stages in the House of Lords, which would have allowed a sum of money to be used in this direction. Hon. Members know that that Bill was blocked by hon. Members opposite belonging to those very portions of the country whose constituencies would have been benefited, and the responsibility for that failure I am very glad to put on their shoulders."

I cannot see that there is anything unparliamentary in that. Of course I was glad to say, in my speech, that I was able to put the saddle on the right horse; but is there any reason why I should not say so? Certainly that class of statement has been made over and over again in Parliament. The hon. Member for the Wick Burghs is very wrong in putting the cap on himself. I never alluded to the hon. Member for the Wick Burghs as obstructing the Bill in any way. On

the contrary, I think the hon. Member for the Wick Burghs did his best to help the Government to pass the Bill and get it brought forward. The hon. Member for Ross-shire now is in rather a difficult position. The hon. Member now states that he did not block the Bill, and I accepted the statement at once, and willingly withdraw what I formerly said about the hon. Member. I was under the impression that the hon. Member for Ross-shire was one of those who "blocked" it and would not allow the Bill to pass. The Bill, as a matter of fact, was blocked, and on the 24th July there were five notices on the Paper "that it be read a second time this day three months." These five notices were all given by Members on the opposite benches, two of them representing crofter constituencies. I think that is ample justification of my statement that the Bill was absolutely blocked.

MR. CALDWELL (Lanarkshire, Mid): That is not "blocking."

*MR. A. GRAHAM MURRAY: It was "blocked" in the sense I used the word "blocking," and in the sense used by every newspaper in the country. If the hon. Member has a peculiar meaning for the word "blocking," he might perhaps explain it to the Committee. "Blocking" means putting down a notice "that the Bill be read a second time this day three months." The hon. Gentleman the Member for Mid Lanarkshire, who enjoys a position of great responsibility on the other side of the House, was consulted by me as to whether the Bill would be allowed to pass.

MR. CALDWELL: I said that it would not be allowed to go through without discussion.

*MR. A. GRAHAM MURRAY: That is the reason why the Bill was withdrawn. The hon. Gentleman knows perfectly well that at that period of the session the Bill could not be passed if it was to be opposed. The Bill was introduced on the understanding that it should be passed without discussion, though I do not think that there was any promise given. That really ends what, after all, is not a very important incident. I would not have said so much about it had it not been that it bulked so largely in the speeches of hon. Gentlemen opposite this afternoon. I come now to one or two small points of detail which were put by the hon. Member for Ross and Cromarty. He asked, first of all, about the offer of a tender to the training ship mentioned in page 7 of the Report. But that offer could not be accepted, because the Congested Districts Board believed they would not be allowed to spend the money voted by Parliament in that class of expenditure. That is just one of the points which the Bill introduced last year was wanted to meet. Then the hon. Member referred to the experiments made in potato spraying by Mr. W. T. de Moleyns, of the Irish Congested Districts Board, in Lewis, and complained that that gentleman went back to Lewis a second time. Of course the gentleman who had conducted them wanted naturally to see the result of that series of experiments. On arriving at Stornoway, he found that the potatoes were spread about. I think it would be a matter of curiosity to see what the potatoes were like. The hon. Member asks, "Where was the secretary of the Congested District Board?" Does he really expect that the Congested Districts Board are to group *en masse* to see the potatoes? What does the hon. Member mean by asking, "Where was the secretary of the Congested Districts Board?"

*MR. WEIR: It is the secretary's business to be in touch with the owners of these potatoes, and to ascertain from them the information that may be required. I think the secretary is not in touch with them. I should not be so insane as to expect all the Commissioners to go up there. I say there is a want of business management.

*MR. A. GRAHAM MURRAY: I think the fact that it is an out-of-the-way district is a sufficient explanation of his not being at that particular place, and really it was only thought of in order to find out the result of an experiment. The next observation was about roads. I think he overlooked what the Report says on page 77. He will find from that statement that they did see about roads. He spoke also about bees and poultry. There is no more to be said on these matters than is said in the Report, where they are fully dealt with. It is not altogether an easy matter to take up

these two branches in a district. He ended his remarks with an attack upon the secretary, in which he said that the secretary's work was not properly performed. That is not at all the opinion of the Board, and it seems to me a little inconsistent with what the hon. Gentleman has stated. At one time he spoke of the great expense of the officials, and in that connection he referred to the fact that the partial time of the secretary is taken instead of his whole time. As a matter of fact, it is impossible that the work could be done more cheaply, and I am informed by the members of the Congested Districts Board that they consider the secretary has done his work exceedingly well. I pass now to the remarks of the hon. Member for East Aberdeenshire, which really were upon quite a different platform from those of the hon. Member for Ross. His complaint is that there is great useless expenditure of money under this Vote. Now, I rather think that what he means by that is that there is a useless amount of money voted under this Vote. He does not mean, I think, that too much money is spent. He means really that he does not think the Board are able to spend the money that they get. Of course, a great deal of his speech was taken up with criticisms of the position of the Secretary for Scotland upon this Board. Well, I quite agree that the Secretary for Scotland is entirely responsible for the policy of this Board, but I do not think that the criticism upon that head is really appropriate to the present, or, indeed, for any other occasion, on the Estimates. That was proper criticism to be made at the time the Bill became an Act. It is all very well to speak in that way now, and that is very often the position of a Government Department, as, for example, the Education Department. The Secretary for Scotland, along, no doubt, with the Duke of Devonshire, is upon that Board, and discusses the policy of the Education Department, and I am not aware that anybody thinks that an undesirable arrangement. I would remind the hon. Member that one of the last legislative achievements of the Government to which he belonged was to do away—and mightily they boasted of it—with the old system of having Boards independent of the control of Parliament. Accordingly, they did away with the Board of Supervision, which had no Parliamentary Minister connected with it, and they constituted the Local Government Board, with the Secretary for Scotland as its Parliamentary head. He is the president. It has a different name, but it is the same thing. He has got exactly the same Board. The Local Government Board have to do what the Secretary for Scotland tells them, and the Secretary for Scotland is amenable to the criticism of this House, just in the same way as any other Minister in any other Department. That is all I can say at the moment on that matter, for this is not the time to defend the arrangement, as it is entirely consistent with the Act of Parliament. In dealing with the question of expenditure the hon. Member referred to the change from the old Highlands and Islands Vote to another Vote. I would remind him that, although the Highlands and Islands Vote was an annual Vote, it owed its origin to a particular province of the Treasury to spend a certain capital sum on the Highlands and Islands, so that really, I think, there was, so to speak, a fresh departure when this Board was started. I want to deal with the question of how the money is spent. I do not know really whether the hon. Member goes the whole length of the hon. Member for Caithness in saying that there ought not to be money given to the Highlands at all. He must either do that or say, "Yes, money ought to be given to the Highlands, but you are not spending it in the proper way." ["Hear, hear!"] Hon. Members say "Hear, hear," but, as I understood, the hon. Member for East Aberdeenshire scarcely associated himself with those remarks. He rather seemed to point out that the money was not only not spent, but not spendable. If that is his view, I do not think it is a view which commends itself to many of the Members who sit around him. I think that ends everything that was said in the debate except what was said by the hon. Member for Caithness. He said he thought this Congested Districts Board had been a failure because it had not compulsory powers in regard to land. I cannot help thinking that the real difficulty has not been the getting of land at all. The Board were quite able to get land, but the real difficulty was the getting of persons, even with all their assistance, who were in a position to give a fair guarantee that they would cultivate that land with a proper prospect of success.

It is all very well for the hon. Member to say that the price of these holdings in the Lews, on Matheson's estate, is far too great. That price, as it happens, is not fixed by the Congested Districts Board at all. It was fixed by the Court of Session, and the lowest price at which land might be got on that estate.

DR. CLARK: Pardon me; I was not referring to that matter.

*MR. A. GRAHAM MURRAY: I do not think I need pursue that point, seeing that he was referring to another case. It does not seem to me that the system broke down because the price was large. The hon. Member said also that the Congested Districts Board ought to have placed the crofters under the Crofters Act. That is an impossibility. You cannot place them under the Crofters Act. Really we come back to where we started. The Congested Districts Board have certainly done nothing in the direction of conferring eleemosynary benefits on the crofters, and in that way pauperising them; but, on the other hand, if you are prepared to consider the question whether there has been a patient endeavour to do the best for the people, who, after all, in many cases are ignorant, and to promote schemes of utility upon a sound economic basis, then I think that anyone who reads the report with a fair mind will see that the Board have done their best.

SIR H. CAMPBELL-BANNERMAN (Stirling Burghs): In his earlier remarks the right hon. Gentleman took considerable exception to the adjective "preposterous" which an hon. friend behind me has used. I am rather disposed to take up the discredited word "preposterous," and to say that the conclusion I have come to is that this is not only a preposterous Report, but that the Congested Districts Board itself may be worthy of having that adjective applied to it. The right hon. Gentleman maintained that there was no ground for the criticisms passed on one passage in the Report, where the conduct of Members in the House is animadverted upon, where it is said that a most useful and beneficent Bill promoted by the Congested Districts Board had failed to become law because it was "blocked" by some of the Members for the constituencies which would now have been most benefited by its provisions. What are we to understand by this word "blocked"? Let us remember that originally, a good many years ago, it had a technical meaning; anyone could block a Bill to prevent it being considered after a certain hour; but that is a thing of the past. What we now mean by blocking a Bill I do not exactly know. There is no technical meaning. In this case what Members undoubtedly did in this House was to put down the usual notice of opposition to the Bill, with a view of obtaining further information and further consideration on the subject, a thing which is done every day. But the question does not turn upon whether that was a right or a wrong thing for hon. Members to do. The point is that a public official in a public document actually alleges that the reason why something has not been done by his Department or Board is, as he thinks, the flagitious conduct of Members of the House of Commons. I think that is indecency. It would have been indecent if the Board had said that they would have introduced the Bill, but Her Majesty's Government did not approve of it, and if they had thus put the blame on the Government; but it is doubly indecent to put it upon Members of Parliament in the discharge of their duty, who are perfectly entitled to put down notice of opposition to any Bill without being held up in this way by a high public official. What was the reason that these notices were put down? Let the Committee observe that this Bill was a very singular Bill. It was drawn in the vaguest possible terms. It was a Bill of only two clauses. It sought for powers for the Congested Districts Board of Scotland to apply a portion of the fund at their disposal, not exceeding one-fifth thereof, "in further providing for the practical instruction of, or for such other purposes as may appear to be of benefit to, the inhabitants of the said districts." What was felt by a great many members was that this fund was created, and the Board established, mainly for the purpose of improving the position of crofters by extending their holdings, or by migrating them from one place to another. The Board have practically done nothing in that way, but they have nibbled away at little schemes of alleged beneficence, and I dare say they are very philanthropic and nice little schemes in their way. But

they have been nibbling away at that kind of thing and have left unspent a large portion of the money at their disposal, and then they come to Parliament and say, "Please give us some further little schemes to spend this money on," some further means of evading the main purposes for which Parliament gave the money, and for which they exist. That was the view taken by Members, and they said, "If you want to instruct the unfortunate inhabitants of these districts in some of the things they would be better of being instructed in, get more money from Parliament, but leave to its original destination the money which was given for other purposes." It was for that reason, and because hon. Members wished for more information, that they are gibbeted in an official Report by the Secretary for Scotland. I now come to the question of the Board. I do not know whether the Board is, as a witness said of the Board of Admiralty, useful as a screen, but I agree with the right hon. Gentleman that there was at one time within my Parliamentary experience very considerable jealousy in regard to the system of Boards which then largely governed Scotland. We have been desirous of getting a responsible Minister placed in charge of these public duties. Well, practically I suppose we may take it, after what the Lord Advocate has said, that the Secretary for Scotland is the Congested Districts Board. He told us that the Secretary for Scotland may do whatever he likes in the Local Government Board, and that the Board has no power without his sanction. We may assume that it is the same in regard to the Congested Districts Board. I think that is a satisfactory thing to know, at all events, and as the Lord Advocate is in this House the whipping boy for the Secretary for Scotland, he must expect us to visit on his devoted head the blame we attach to the doings of this wonderful Board. What has this wonderful Board been doing? The fact remains that although they have been in existence for two or three years, they have not migrated a single crofter, and they have done almost nothing in the way of extending holdings. I remember very vividly that some years ago a Committee sat upstairs considering the question of colonisation. We ransacked for places to which crofters could be advantageously and profitably sent, and the conclusion we came to was that there were no such places, and that if we were to relieve the congestion in the districts in the north-west of Scotland it must be by migration within their own country to places where they could find a better means of livelihood. It was in accordance with that finding that this Board was intended, no doubt tentatively at first, to move in that direction. The Lord Advocate says we must do it with patience, but there is a limit even to patience, and I think the principal criticism passed on this Report is that so little, in fact absolutely nothing, has been done for the very purpose for which the Board was called into existence. I must say that I do not know that I have spent a more entertaining ten minutes than those spent in reading the Report when it first came out, and the stories of the tricks the Board have played with seed potatoes and with divers animals in remote islands for breeding purposes. There are stories of potatoes from the bags of which when they were landed in the forlorn islands the labels had unfortunately been either torn away, or perhaps eaten by one of the prize animals carried in the same vessel—at all events, the labels were not forthcoming—with the result that all the potatoes were shovelled out to the inhabitants indiscriminately, and they very wisely refused to pay anything for them. Then we have the touching story of the three bees—[Cries of "Bee-hives"]—or, was it bee-hives?—it is quite immaterial—that the Board actually, with all this money at their disposal, placed in the careful hands of Mr. M'Intyre. My hon. friend the Member for East Aberdeenshire said our countrymen would not understand the humour and irony of these circumstances, but I do not agree with my hon. friend. I think they do understand irony, and they will see what someone said was—it is a strong word to use—the farce—but it nearly approached to a farce—of the proceedings of this Board. The whole thing was a *ridiculus mus*. Now that we have the three hives of bees, a few sittings of eggs, and a patient but ineffectual attempt to obtain the migration of crofters, I hope next year's Report will show some better, more active, and hopeful results. I do not think there is likely to be any very large benefit conferred upon that part of Scot-

land if their efforts are confined to the direction in which they have hitherto been exercised.

*Mr. A. GRAHAM MURRAY: The hon. Member for East Aberdeenshire expressed a pious wish that a humorist would appear in the debate, and he has found one on his own front bench. I scarcely think the tone of the right hon. Gentleman's speech will, after all, commend it to the public to which he is really speaking—the public of Scotland. The right hon. Gentleman has indulged his capacity for humour so far that he has made some charges that are really, I think, somewhat grave when they come to be carefully weighed. He has spoken with disapprobation of the passage in the Report in which the Congested Districts Board deplore the loss of the Bill of last year. I am not going to treat that matter again, or deal with the ethics of the question whether the statement should have gone into the Report, but I would remind the House that what they were anxious to do —an anxiety which I think ought to have been treated without levity—was to have some form of practical education which would allow these young Highland boys and girls to get fair wages when they go out into the world. That I should have thought a very desirable object, and all the right hon. Gentleman can find to say about it is that the Congested Districts Board, after nibbling away at little schemes, were trying to get further away, and evading the main purpose of the Bill. If the right hon. Gentleman sticks to that, let him do so. Evading the main purpose of the Bill is a fairly grave charge to make against a Minister of the Crown and the Board, because it simply means, of course, that their whole object is to defeat the purposes for which Parliament has entrusted them with the money As I said before, the true determination of this matter will depend not upon what the right hon. Gentleman or I say about it. I do not think the patient efforts of this Board, as they are detailed in the Report, will be nullified by witticisms—however congenial to the souls of a dull Committee—about three hives of bees, such as the right hon. Gentleman has given us in his speech.

Captain SINCLAIR (Forfarshire): No one is likely to retard anything of a beneficial character which can be done for the people of the north-west of Scotland, but the right hon. Gentleman must remember the debates which took place on the introduction of the Bill constituting this Board. Nothing is more plain, from the Reports we have had, than that the Board has not succeeded in carrying out in any large degree the policy of land migration, which was held out as the chief work the Board was to do. The Lord Advocate has reminded us that this Board is a continuation of the old policy of having a Vote of money on the Estimates for the Highlands and Islands of Scotland. That was followed by the Highlands and Islands Commission. The main recommendation of that Commission was that there should be an attempt made to carry out land migration and the extension of the crofters' holdings in the Highlands, and when the Bill constituting this Board was under consideration, grave complaints were made by Members on this side of the House that the Board would not succeed in carrying out those objects with the powers conferred by the Bill. It was urged that compulsory powers of purchase should be given to the Board, or it would not be able to effect its object. Compulsory powers were not given, and what has been the result? Land migration has been found to be impossible under present conditions. There is a paragraph in the Report which I hoped the Lord Advocate would explain. He says further powers are required by the Board to carry out the purposes it has in view; but he gives us no details of those further powers. It is perfectly clear that the Board is now going to justify its existence by an entirely different policy from that of land migration or the extension of crofters' holdings. It may be right or it may be wrong, but I confess I look with a considerable amount of favour on the ideas which are enunciated and indicated in the Report, though I think there has been a lamentable failure to carry those ideas into execution. It is all very well to tell us that we should be patient, and that if we object to this we ought to object to any money whatever being given to this purpose. It may be perfectly legitimate to say there should be money given, but surely before the money is voted there should be a policy. Surely Parliament should not have voted for this purpose the interest on more than £1,000,000, unless it had some scheme to

carry into effect. Perhaps the First Lord of the Treasury could throw some light upon this point, because it was in his Election programme that this very item occurred—that we were to have public works on the west coast of Scotland. As far as I know, that promise has been implemented only with one or two insignificant piers and boat-slips, which are described in this Report. However good the object may be, and however beneficent the purpose it is endeavouring to carry out, it is not the original purpose for which the Board was constituted, and it does not strike at the root of the difficulty with which you have to deal in the north-west of Scotland. We have the analogy of Ireland, where a Congested Districts Board is part of the policy of killing Home Rule by kindness. It seems to me that the Irish analogy should be more closely studied. There are conditions in the Highlands which depend upon the land question, and which depend upon something being done to carry out the recommendations of the Commission to which I have alluded. Even in this Report we see that proprietors have refused to give land. There is one point I should like the Lord Advocate to explain. He seemed to indicate in his remarks that it was impossible to place the crofters under the Crofters Act. There is a passage in this Report which seems to indicate that the Board endeavoured to do this in these new holdings. On page 10 there are these words—

> "We propose that the lands to be assigned should be held by them under the Crofters Acts, but the proprietors objected, and ultimately it was arranged that a lease for thirty-one years should be granted to each tenant."

One rather infers from that that it was impossible to create what are practically new crofters' holdings. I gathered from the Lord Advocate's remarks——

*MR. A. GRAHAM MURRAY: What I said was that it was impossible for anyone to give a person the legal status of a crofter as under the Act. Of course it is possible to allow the rent to be fixed by arbitration under the Crofters' Commission.

CAPTAIN SINCLAIR: All these difficulties would not necessarily have arisen if there had been in the hands of the Board far wider powers, which Members on this side of the House sought to confer when the Board was originally constituted. Looking at the proceedings of this Board I entirely agree with my hon. friend the Member for East Aberdeenshire that this is a very extravagant method of proceeding to the end in view. There is a very large sum of money mounting up for the purposes of this Board entirely under the discretion of what is practically the Scotch Office, and it would have been far more sensible if, before the Board was constituted, there had been some effort to indicate the policy the Board was to carry out, and to lay that policy before the country. I am sure if it had been plainly seen by the House how very far short of such a policy the powers of this Board would land them, we should have made a stronger effort to confer adequate powers to deal with the main difficulties of the question in the Highlands of Scotland.

MR. CALDWELL: The Lord Advocate referred to the remarks in the Report about Members having blocked the Bill of last session. The object of putting the passage in the Report was to create a feeling in the minds of the crofter constituencies against their representatives in Parliament. That is the undoubted object, and what is complained of is that it amounts almost to a breach of the privileges of this House for an outside body of this kind to comment in their official Report upon the actions of Members of Parliament with a view to creating a prejudice against them in their constituencies. Such a breach is all the more unjustifiable from the fact that it is in a document signed by the Secretary for Scotland himself—a member of the other House and a member of the Government—who has no possible excuse for making a charge of that kind against any Member of the House, or attempting in any degree to prejudice a Member of this House in the eyes of his constituents. The Lord Advocate referred to an inquiry he made of me. My answer was this: These purposes may be beneficial in themselves, but what the Scotch Members object to is that they should be provided for out of money intended for the purpose of settling crofters upon their holdings, and that was the reason the notices of opposition to the Bill were put down. We know the Secretary for Scotland is not in sympathy with the policy of migration; the policy

of the Government is more emigration than migration. But this Government may not always be in power, and if they cannot find a way to apply the money to the purposes to which their own Act of Parliament directed it to be applied. very possibly there may be a future Government in power which will be able to do so. Why did you not extend your objects at first, instead of limiting them as you did? The other purposes are more of an educational kind, and when we come to the Education Votes I will refer the Lord Advocate to a sum of £80,000 that Scotland should have just now under your own Education Acts, but of which she is deprived. You will there find ample material if you wish to give money for the purpose of doing these beneficent things for the crofters. All we say is, the purposes may be eminently useful in themselves, but they are altogether outside the scope of the Act. We wish the Board to carry out their own Act of Parliament, and to devote their attention to that; then after that they may go to other purposes.

Question put.

The Committee divided:—Ayes, 67; Noes, 126. (Division List No. 183.)

AYES.

Allan, William (Gateshead)
Beaumont, Wentworth C. B.
Billson, Alfred
Birrell, Augustine
Bolton, Thomas Dolling
Bramsdon, Thomas Arthur
Brigg, John
Bryce, Rt. Hon. James
Caldwell, James
Cameron, Sir Charles (Glasgow)
Campbell-Bannerman, Sir H.
Carvill, Patrick G. Hamilton
Causton, Richard Knight
Clark, Dr. G. B.
Colville, John
Crombie, John William
Curran, Thomas B. (Donegal)
Dalziel, James Henry
Davies, M. V. (Cardigan)
Donelan, Captain A.
Doogan, P. C.
Douglas, Charles M. (Lanark)
Dunn, Sir William
Esmonde, Sir Thomas
Farquharson, Dr. Robert
Flavin, Michael Joseph
Flynn, James Christopher
Goddard, Daniel Ford
Gurdon, Sir William Brampton
Hayne, Rt. Hon. Chas. Seale-
Hemphill, Rt. Hn. Charles A.
Kinloch, Sir John Geo. Smyth
Lawson, Sir Wilfrid (Cumb'l'd
Leng, Sir John
Lewis, John Herbert
Lloyd-George, David
Macaleese, Daniel
MacDonnell, Dr. M.A. (Q.C.)
M'Crae, George
M'Dermott, Patrick
M'Ewan, William
Mendl, Sigismund Ferdinand
O'Brien, Patrick (Kilkenny)
O'Malley, William
Pease, Joseph A. (Northumb.)
Philipps, John Wynford
Pickard, Benjamin
Pickersgill, Edward Hare
Power, Patrick Joseph
Richardson, J. (Durham, S. E.)
Roberts, John H. (Denbighsh.)
Robson, William Snowdon
Sinclair, Capt John (Forfarsh.)
Souttar, Robinson
Steadman, William Charles
Strachey, Edward
Sullivan, Donal (Westmeath)
Sullivan, T. D. (Donegal, W.)
Tennant, Harold John
Wallace, Robert
Walton, Joseph (Barnsley)
Wason, Eugene
Wedderburn, Sir William
Weir, James Galloway
Williams, John Carvell (Notts.)
Wilson, Charles Henry (Hull)
Wilson, John (Govan)

TELLERS FOR THE AYES—Mr. Hedderwick and Mr. Buchanan.

NOES.

Atkinson, Right Hon. John
Baird, John George Alexander
Balfour, Rt. Hon. A. J. (Manch'r
Balfour, Rt. Hn. G. W. (Leeds)
Banbury, Frederick George
Barry, Sir Francis T. (Windsor)
Beach, Rt. Hn. Sir M. H. (Bristol
Beach, Rt. Hn. W. W. B. (Hants
Bhownaggree, Sir M. M.
Blundell, Colonel Henry
Bowles, T. G. (King's Lynn)
Butcher, John George
Campbell, J. H. M. (Dublin)
Carson, Rt. Hon. Edward H.
Cavendish, V. C. W. (Derbysh.)
Cayzer, Sir Charles William
Cecil, Evelyn (Hertford, East)
Cecil, Lord Hugh (Greenwich)
Chamberlain, J. Austen (Wor.)
Charrington, Spencer
Collings, Rt. Hon. Jesse
Colomb, Sir J. Charles Ready
Colston, Chas. Edw. H. Athole
Courtney, Rt. Hn. Leonard H.
Cox, Irwin Edw. Bainbridge
Curzon, Viscount
Dalrymple, Sir Charles
Dickinson, Robert Edmond
Disraeli, Coningsby Ralph
Donkin, Richard Sim
Douglas, Rt. Hon. A. Akers-
Doxford, Sir William T.
Dyke, Rt. Hn. Sir Wm. Hart
Elliot, Hn. A. Ralph Douglas
Fellowes, Hon. Ailwyn Edw.
Finch, George H.
Finlay, Sir Robert Bannatyne
Fisher, William Hayes
FitzGerald, Sir R. Penrose-
Fitz Wygram, General Sir F.
Flannery, Sir Fortescue
Fletcher, Sir Henry
Galloway, William Johnson
Garfit, William
Gedge, Sydney
Gibbs, Hn. A. G. H. (C. of Lond.)
Giles, Charles Tyrrell
Gilliat, John Saunders
Goldsworthy, Major-General
Gordon, Hon. John Edward
Gorst, Rt. Hon. Sir John E.
Goschen, George J. (Sussex)
Graham, Henry Robert
Gunter, Colonel
Halsey, Thomas Frederick
Hamilton, Rt. Hn. Lord George
Hanbury, Rt. Hon. Robert W.
Heath, James
Heaton, John Henniker
Henderson, Alexander
Johnstone, Heywood (Sussex)
Kennaway, Rt. Hon. Sir J. H.
Kenyon, James
Knowles, Lees
Laurie, Lieut.-General
Lawrence, Sir E. Durn'g-(Corn.
Lawrence, W. F. (Liverpool)
Lawson, John Grant (Yorks.)
Lea, Sir Thomas (Londonderry)
Loder, Gerald Walter Erskine
Long, Rt. Hn. W. (Liverpool)
Lonsdale, John Brownlee

Mr. Caldwell.

Lopes, Henry Yarde Buller
Lowles, John
Loyd, Archie Kirkman
Macartney, W. G. Ellison
Maclure, Sir John William
M'Arthur, Charles (Liverpool)
M'Killop, James
Martin, Richard Biddulph
Massey-Mainwaring, Hn. W. F.
Milbank, Sir Powlett C. John
Milward, Colonel Victor
Monk, Charles James
Moore, William (Antrim, N.)
Morgan, Hn. Fred. (Monm'thsh
Morrell, George Herbert
Mount, William George
Murray, Rt Hn. A Graham (Bute
Murray, Charles J. (Coventry)
Newdigate, Francis Alexander
Peel, Hon. W. R. Wellesley
Phillpotts, Captain Arthur
Platt-Higgins, Frederick
Pretyman, Ernest George
Purvis, Robert
Rasch, Major Frederic Carne
Renshaw, Charles Bine
Ridley, Rt. Hon. Sir M. W.
Ritchie, Rt. Hon. Chas Thomson
Samuel, Harry S. (Limehouse
Seton-Karr, Henry
Sharpe, William Edward T.
Shaw-Stewart, M. H. (Renfrew
Sidebottom, William (Derbysh
Smith, J. Parker (Lanarks.)
Spencer, Ernest
Stanley, Ed Jas. (Somerset)
Stewart, Sir M. J. M'Taggart
Strutt, Hon. Charles Hedley
Talbot, Rt. Hn. J. G. (Ox'dUniv
Tomlinson, W. E. Murray
Tritton, Charles Ernest
Vincent, Sir Edgar (Exeter)
Wanklyn, James Leslie
Wentworth, Bruce C. Vernon-
Whiteley, H. (Ashton-under-L)
Williams, Colonel R. (Dorset)
Williams, Jos. Powell- (Birm.)
Wilson, John (Falkirk)
Wilson-Todd, Wm. H. (Yorks
Wolff, Gustav Wilhelm
Wortley, Rt. Hn. C. B. Stuart-
Wylie, Alexander
Wyndham, George
Wyvill, Marmaduke D'Arcy
TELLERS FOR THE NOES—Sir William Walrond and Mr. Anstruther.

Original Question again proposed.

*MR. WEIR called attention to the dual offices held by the Secretary to the Congested Districts Board. That gentleman was chief clerk in the Exchequer Office in Edinburgh, in which position he received a salary of £650, he received £150 a year for performing the duties of secretary to the Congested Districts Board, and there was a further sum of £150 a year which had to be paid to somebody to do the work which this gentleman was unable to do owing to his dual capacity. The hon. Member suggested that the two sums of £150 should be put together and used as a salary for a person who would give his whole time to the duties of secretary to the Board. This system of dual offices was a disgrace to a public Department, and it was time a protest was made. The Lord Advocate seemed to be under the impression that the Board was worked satisfactorily, but it had been clearly shown in the course of the evening that the secretary did his work in a most unsatisfactory manner. It was not easy to see how it could be otherwise while the secretary filled two or three, or, for aught the Committee knew, half a dozen offices. Members had a right to expect that the secretary should be acquainted with all that was going on in connection with the work of the Board, and when Mr. De Moleyns went up to the Island of Lewis it was the business of the secretary to have informed him what the state of matters was in connection with the potato spraying system there. Another matter to which he desired to call attention was in connection with a paragraph under the heading "Harbours." The Report stated that Portness Harbour and Breakwater were completed. The amount paid on the Portness Breakwater to the 31st March was £4,481 16s., and on Portness Harbour, £1,050. But the work was not completed, and a good deal more money would have to be spent before that was the case. The breakwater was most unsatisfactory, and the sand silted up the harbour continually. The harbour was of a most dangerous character, and it was a well-known fact that there was no other district in the whole of the British Isles where there were so many widows and orphans in consequence of the unsatisfactory harbour. Let the Lord Advocate himself go and see the deplorable state of matters. It was impossible either in London or Edinburgh to get a grasp of the state of affairs in that remote spot. People in England have no idea of the conditions of life there. The harbour and breakwater were in a very dangerous condition, and many thousands of pounds would have to be expended before matters were put right. As a protest against the dual offices held by the Secretary to the Congested Districts Board, he begged to move that the Vote be reduced by a sum of £10.

Motion made, and Question put, "That Item E be reduced by £10."—(*Mr. Weir.*)

The Committee divided:—Ayes, 59; Noes, 120. (Division List No. 184.)

AYES.

Allan, William (Gateshead)
Austin, M. (Limerick, W.)
Billson, Alfred
Birrell, Augustine
Bolton, Thomas Dolling
Bramsdon, Thomas Arthur
Brigg, John
Buchanan, Thomas Ryburn
Caldwell, James
Cameron, Sir Charles (Glasgow
Carvill, Patrick George H.
Clark, Dr. G. B.

Colville, John
Crombie, John William
Curran, Thomas B. (Donegal)
Davies, M. Vaughan-(Cardigan
Donelan, Captain A.
Doogan, P. C.
Douglas, Charles M. (Lanark)
Dunn, Sir William
Esmonde, Sir Thomas
Farquharson, Dr. Robert
Flavin, Michael Joseph
Flynn, James Christopher
Goddard, Daniel Ford
Hedderwick, Thos. Charles H.
Hemphill, Rt. Hon. Charles H.
Jameson, Major J. Eustace
Kinloch, Sir John Geo. Smyth
Lawson, Sir Wilfrid (Cumb'land
Lewis, John Herbert
Macaleese, Daniel
MacDonnell, Dr. M. A. (Qn's. C.
M'Crae, George
M'Dermott, Patrick
M'Ewan, William
Mendl, Sigismund Ferdinand
Molloy, Bernard Charles
O'Brien, Patrick (Kilkenny)
O'Connor, James (Wicklow, W.
O'Malley, William
Pease, Joseph A. (Northumb.
Philipps, John Wynford
Pickard, Benjamin
Pickersgill, Edward Hare
Power, Patrick Joseph
Richardson, J. (Durham, S. E.)
Roberts, John H. (Denbighs.)
Robson, William Snowdon
Sinclair, Capt. J. (Forfarshire)
Smith, Samuel (Flint)
Souttar, Robinson
Steadman, William Charles
Sullivan, Donal (Westmeath)
Sullivan, T. D. (Donegal, W.)
Tennant, Harold John
Wallace, Robert
Williams, J. Carvell (Notts.)
Wilson, John (Govan)

TELLERS FOR THE AYES—
Mr. Weir and Mr. Wason.

NOES.

Atkinson, Rt. Hon. John
Baird, John George Alexander
Balfour, Rt. Hn. A. J. (Manch'r)
Balfour, Rt Hn Gerald W (Leeds
Banbury, Frederick George
Beach, Rt. Hn. Sir M. H. (Bristol
Beach, Rt. Hn. W. W. B. (Hants.
Bethell, Commander
Blundell, Colonel Henry
Bowles, T. Gibson (King's Lynn)
Bryce, Rt. Hon. James
Butcher, John George
Campbell, J. H. M. (Dublin)
Carson, Rt. Hn. Sir E. H.
Causton, Richard Knight
Cavendish, V. C. W. (Derbysh.)
Cayzer, Sir Charles William
Cecil, Evelyn (Hertford, E.)
Cecil, Lord H. (Greenwich)
Chamberlain, J. A. (Worc'r)
Charrington, Spencer
Collings, Rt. Hon. Jesse
Colston, C. E. H. Athole
Corbett, A. Cameron (Glasgow
Cox, Irwin Edwd. Bainbridge
Curzon, Viscount
Dalrymple, Sir Charles
Dickinson, Robert Edmond
Donkin, Richard Sim
Douglas, Rt. Hon. A. Akers-
Douglas, Sir Wm. Theodore
Dyke, Rt. Hn. Sir William Hart
Fellowes, Hon. Ailwyn Edwd.
Finlay, Sir Robert Bannatyne
Fisher, William Hayes
FitzGerald, Sir R. Penrose-
FitzWygram, General Sir F.
Flannery, Sir Fortescue
Fletcher, Sir Henry
Foster, Harry S. (Suffolk)
Galloway, Wm. Johnson
Garfit, William
Gedge, Sydney
Gibbs, Hn. A. G. H. (City of Lond.)
Giles, Charles Tyrrell
Goldsworthy, Major-General
Gordon, Hon. John Edward
Gorst, Rt. Hon. Sir John Eldon
Goschen, George J. (Sussex)
Graham, Henry Robert
Gunter, Colonel
Gurdon, Sir William Brampton
Haldane, Richard Burdon
Halsey, Thomas Frederick
Hamilton, Rt. Hon. Lord Geo.
Hanbury, Rt Hon. R. Wm.
Hayne, Rt. Hon. Chas. Seale-
Heath, James
Henderson, Alexander
Jebb, Sir Richard Claverhouse
Kenyon, James
Knowles, Lees
Lawrence, Sir E. Durning-(Corn
Lawrence, Wm. F. (Liverpool)
Lawson, John Grant (Yorks.)
Lea, Sir Thomas (Londonderry)
Llewelyn, Sir Dillwyn-(Swans'a
Loder, Gerald Walter Erskine
Long, Rt. Hn. Walter (Liverpool
Lonsdale, John Brownlee
Lopes, Henry Yarde Buller
Lowles, John
Loyd, Archie Kirkman
Macartney, W. G. Ellison
Maclure, Sir John William
M'Arthur, Charles (Liverpool)
M'Killop, James
Martin, Richard Biddulph
Massey-Mainwaring, Hn. W. F
Monk, Charles James
Moore, William (Antrim, N.)
Morgan, Hon. F. (Monm'thsh.
Morrell, George Herbert
Mount, William George
Murray, Rt. Hon. A. G. (Bute)
Murray, Charles J. (Coventry)
Peel, Hon. Wm. Robt Wellesley
Phillpotts, Captain Arthur
Platt-Higgins, Frederick
Pretyman, Ernest George
Purvis, Robert
Rasch, Major Frederic Carne
Renshaw, Charles Bine
Ridley, Rt. Hn. Sir Matthew W.
Ritchie, Rt. Hon. C. Thomson
Samuel, Harry S. (Limehouse)
Seton-Karr, Henry
Sharpe, William Edward T.
Shaw-Stewart, M. H. (Renfrew
Sidebottom, William (Derbysh
Smith, James Parker (Lanarks)
Spencer, Ernest
Stewart, Sir M. J. M'Taggart
Strutt, Hon. Charles Hedley
Talbot, Rt. Hn. J. G. (Oxf'd Un.
Thornton, Percy M.
Tomlinson, Wm. Edw. Murray
Tritton, Charles Ernest
Vincent, Sir Edgar (Exeter)
Wanklyn, James Leslie
Wentworth, Bruce C. Vernon-
Whiteley, H. (Ashton-under-L.
Williams, Colonel R. (Dorset)
Williams, J. Powell- (Birm.)
Wilson, John (Falkirk)
Wilson-Todd, Wm. H. (Yorks
Wolff, Gustav Wilhelm
Wortley, Rt. Hon. C. B. Stuart
Wylie, Alexander
Wyndham, George

TELLERS FOR THE NOES—
Sir William Walrond and
Mr. Anstruther.

Original Question put, and agreed to.

2. Motion made, and Question proposed, "That a sum, not exceeding £10,649, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1901, for the Salaries and expenses of the Fishery Board in Scotland and for Grants in Aid of Piers or Quays."

*MR. BUCHANAN: There have in years past been many discussions upon the policy of the Fishery Board for Scotland. For my part, I am somewhat weary of bringing forward the same grievances for redress, but I would venture on this occasion to

point out that matters generally affecting fisheries in Scotland are in a somewhat serious position. I have taken the trouble to look at the Returns, not merely for the present year, but for the last five years. The facts are well known to those engaged in fishery matters, but they are not fully appreciated by the general public, nor by many hon. Members of this House. The facts are shortly these. The supply of fish in Scotland is not substantially increasing from year to year, although the cost of fish to the consumer is increasing, notwithstanding the vast improvements in the catching power of the fishermen on the coast of Scotland. So that the problem we have before us is that whilst in the course of the past few years a great deal more capital has been put into the fishing industry, and vessels of larger tonnage and better material and equipments have been employed, and the fishermen have gone further out from the coast in the pursuit of their calling, yet they have not succeeded in increasing the supply of fish or in diminishing the cost of fish to the consumer. I will not trouble the Committee with more than a figure or two, but I will give from the Fishery Board Returns the amount of fish landed in the past three years. I will take a good and a bad year ten years ago and compare it with a good and a bad year within the last three years. The year 1889 was a comparatively small catch, and 5,500,000 were landed. In 1893 the amount was 6,250,000. Last year the total was 5,100,000, and the year before 6,500,000. Taking the average for the past four years, and the average amount landed in the four years ten years ago, you would find the amount almost the same. If you search the figures of the Scotch Fishery Board Reports you will also find that the price of fish during that period has gradually been increasing, and you have evidence over and over again that the fishermen have to go further afield to catch the fish, which they formerly caught near our own coast. When the right hon. Gentleman the President of the Board of Trade was introducing the Bill dealing with undersized fish, during the present session, he stated that our fishing-grounds were being ruthlessly destroyed year after year by trawlers. I do not think we ever had a stronger statement of the case from our point of view than was laid down in those words during this session by the President of the Board of Trade. It is quite clear that there must be something wrong in such a state of affairs. Our legislative grievance is this. You pass certain Acts of Parliament and you do not put them into force. What I believe is a very real and serious grievance, both legislative and administrative, is the inefficient policing and illegal trawling. The results are of a much more serious character during the present year than we have ever seen before. We of course recognise that with the alteration of the character of this industry there must be a greater concentration year by year in the largest centres of the fishing industry, and that has been going on for some years, and is going on even now. Fishermen have been compelled, and have willingly adopted better combination, and have joined together to build larger vessels and have made use of better implements for catching their fish; but this year we have had the matter very forcibly brought before us by the fact that this migration of fishermen from small and ancient localities into the larger centres has not been simply a migration of families but of whole villages, and in my constituency we have not merely empty fishermen's houses, but one or two villages during the last year have been absolutely deserted by every human being who used to live there. This is a very serious matter, calling for the attention of the Government and the House, and if by any legislation this evil could be diminished very useful work would be done by this House and by the Government. I will not go back at length upon the arguments we have so often urged in former sessions during this Parliament, but one of our grievances is the continued non-effective enforcement of the law with regard to the closing of the Moray Firth. This is an old grievance which has gone on year after year, and the facts are well known to Members of this House, and more particularly to Scottish Members. The Lord Advocate himself took very immediate and effective steps against the British trawlers, but he has taken no effective steps—and the Government of which he is a member have never shown that they are prepared by negotiations with foreign Powers to take any effective steps—to bring this scandal to an end. Here you have in practically British waters, which are closed to British fisher-

men, foreign fishermen going about catching fish and landing them at British ports, while English and Scotch fishermen are not allowed to do so. I say that the Government ought to have made some effort during the time they have been in office to get the Governments of foreign countries bordering on the North Sea to join together to secure by an international agreement an abatement of this serious scandal in the administration of fishery laws. My constituency in East Aberdeenshire has suffered very much in this respect. Aberdeen being the principal trawling port, the trawlers as they go in and out catch all the fish they can by trawling along the coast. The result is that practically all the fishing in inshore waters in Aberdeenshire has been put an end to. It is rather strange that this part of the coast has been less patrolled by the Government cruisers than any other part of the coast. What has been the policy of the Government with regard to the sea police? A couple of years ago they withdrew this item from the Estimates and put it down as a charge on the local taxation account. It was not a fixed sum of money, and in previous years the Imperial Exchequer was drawn upon according to our needs in this respect, and we looked forward to our needs being satisfied. But even with this increase in the cost we have not found that the sea police arrangements are administered better than they were before. Then there is another question which we have constantly brought before the present Government. They have made no effort during the five years they have been in office to render effective the Scotch Sea Fisheries Act of 1895. That was a Bill passed by the late Liberal Government, and it empowered the Fishery Board of Scotland to extend the territorial limits for fishery purposes in certain parts of Scotland. When that Bill was passing through the House of Lords, Lord Salisbury, by an Amendment drafted by his own hand, inserted into that clause words providing that it should not come into operation except by international agreement with the Powers bordering on the North Sea. Within a few weeks after this Amendment was inserted Lord Salisbury came into office as Prime Minister and Foreign Secretary, and he has made no substantial effort from that day to this to render effectual this clause in the Scotch Fisheries Act. I think we have, therefore, a grievance against the Government for having allowed five years to elapse without anything effectual being done in the matter. We know very well that the years of this Parliament are running out, and it is hardly likely that any effective legislation can be done by this Parliament during this session or the next session, which is the last. I think the fishermen and the fishing industry of this country are suffering under substantial grievances; and they are not confined to one class of fishermen alone, because the diminution in the catch and the increase in the price of fish is not confined to a certain class of fish, but we have the same irregularity in the returns of fish from year to year prevailing in the herring fishing industry, notwithstanding all the money that has been spent from year to year in investigating the habits of fish and scientific investigations. We still know very little in regard to the migration of fish and why they appear on one part of the coast in one year and disappear the next. I only allude to that question in passing, because the herring industry is the most important of all the fishing industries in Scotland, and I wish to show that it has suffered also. What I urge upon the Lord Advocate is that he should render effectual the laws now in operation. I urge this upon him very strongly on behalf, not only of the line fishermen, but also the trawlers and the herring fishermen, who also have their grievances, and I think some serious and substantial efforts should be made to get the various Powers in the North of Europe who are vitally interested like ourselves in the sea fisheries of the North Sea to come together, in order to see whether they cannot come to some substantial agreement as to the conditions under which fishing rights shall be exercised in particular areas. I do not believe for a moment that it would be difficult to get the various Powers to come to a decision in the matter if it was taken seriously in hand by a powerful Government like the British Government. We have been put off for the past few years by the Conference at Stockholm, which was got up by the King of Sweden for scientific purposes, and those who organised that Conference never intended that it should have any direct legislative effect, or that it should lead to legislative action. What we want is something very different. We

want the question taken up as a matter of urgency in the interests of the fishing communities in England and Scotland, and in the interests of all the nations bordering on the North Sea. I believe there is still time to do this, and I would urge upon the Government, whilst Lord Salisbury occupies the influential position in the diplomatic world in Europe which he does, that they should organise a movement for bringing together the various Powers interested in order to deal with these questions, and to come to an agreement by which each nation will respect the laws made, and under which the law will be carried out effectually by this and other countries. I beg to move that this Vote be reduced by £100.

Motion made, and Question proposed, "That a sum, not exceeding £10,549, be granted for the said Service."—(*Mr. Buchanan.*)

SIR THOMAS ESMONDE (Kerry, W.): I hope that hon. Members from Scotland will not take it amiss if I join in this discussion, for I should like to put one or two questions to the Lord Advocate. The question of steam trawling which the hon. Member has raised is one which interests us very much in Ireland, and perhaps I may be able to glean some information which may be useful to my constituency in the matter. We have been trying for a long time to get Irish waters properly policed, and to have the ravages of the steam trawlers put an end to, and although we have not been able to get cruisers of our own, we have hopes that something will be done for us in the near future. I am anxious to know how many of these cruisers are at the disposal of the Fishery Board for Scotland, and also what assistance is given to the Scotch Fisheries Board by the Admiralty. In Ireland we have repeatedly asked the Admiralty to assist us in this matter, but the Admiralty have not done anything. Then I should like to ask for information with reference to the special brand which I believe exists for Scotch herrings. We have been trying for a long time to have a brand for Irish herrings, but we have not yet succeeded. I do not know whether this matter comes within the purview of the Scotch Office, but if it does, I should be indebted to the right hon. Gentleman if he would inform me what the procedure was in Scotland by which this brand for Scotch herrings was obtained; and perhaps he will also tell us what was the effect of the establishment of the brand on the Scotch fisheries. We have an idea that a similar brand in Ireland would be an assistance and an encouragement to Irish fisheries. I would also express the hope that the Government will seriously and generally deal with the question of foreign trawlers in territorial waters. We in Ireland have to complain very much of the depredations of steam trawlers, and I hope that the time has come when the Government will put a limit to their operations. I should be glad to add my voice, as the representative of an Irish constituency in which there is a large fishing interest, to the appeal which has been made to the Government to take up this question in a definite and determined manner and to endeavour to deal with it as soon as possible. I do not desire to stand longer between hon. Members from Scotland and their Minister, but I hope the points I have mentioned will be considered.

*MR. H. S. FOSTER (Suffolk, Lowestoft): I hope the Scotch Members will also forgive me, as an English Member representing an important fishing constituency, for intervening in this debate. I think this is a question of importance to every part of the United Kingdom, and one which has been forcibly brought before us by a certain Bill which is now being considered by a Select Committee of the House. I cannot, of course, forecast the recommendations of that Committee, but one thing has come out very clearly in the evidence, and that is that Parliament has been making grants year after year to the Scotch Fisheries Board largely for the purpose of assisting the scientific investigation which it was resolved to undertake as a result of the recommendations of a Royal Commission some years ago, as to whether trawlers did or did not affect the supply of fish. These experiments have been conducted in the Moray Firth, and we have been told very clearly in the Committee to which I have referred, that the expenditure has been practically rendered futile—first of all, because the vessel employed is inadequate for the purpose, being described by officials of the Fisheries Board and other competent witnesses as being

utterly unsuited owing to its size; and secondly, we are told that very little reliance can be placed on the results of the experiments because of the action of foreign trawlers in the Firth.

*THE CHAIRMAN: If the hon. Gentleman is referring to evidence given before a Select Committee, he is not in order in doing so until the Committee has reported. If he is referring to evidence obtained in any other way he is of course in order.

*MR. H. S. FOSTER: I was referring to matters of public knowledge which have appeared in the Reports of the Scotch Fishery Board. An hon. Member opposite spoke of the state of things in the Moray Firth as being little short of a scandal, and as I understand, we have no power beyond the three-mile limit to prohibit foreign trawlers from fishing, but we can apparently prohibit our own fellow-subjects in any part of the world, as in the case of the Moray Firth and the Behring Sea. It is a matter of the very greatest importance to our fisheries that the Government should make some serious effort to arrive at an international agreement with the North Sea Powers for the protection of the fisheries. That was urged by a Committee of this House in 1893, and so far as I am aware, nothing has since been attempted in that direction. There is a theory that that would be very difficult until we have done something in the matter ourselves; but we have actually prohibited our own men from fishing in what are practically our own waters, though for certain purposes they are also the high seas. Up to the present we have got no sort of assistance from foreign countries, and I believe no serious endeavour to secure it has been made. It is surely nothing short of a scandal that Scotch trawlers should be prohibited from fishing in these waters, while we allow foreign trawlers to fish in them. That is a great hardship, and applies to all Her Majesty's subjects who might desire to fish in these waters. I hope the Lord Advocate will be able to give the Committee some assurance that it is the intention of the Government at an early date to invite the various Powers bordering on the North Sea to come into a conference in order to consider whether some steps should not be taken by international agreement, I will not say to stop over-fishing, because that can be regulated by supply and demand at any time, but to protect those areas from which Scotland draws the largest supply of her fish. That will be found to be the most effective remedy. At the present moment the goose that lays the golden eggs is being killed. There has been an immense increase in the capital employed in the fishing industry and in the catching power of trawlers, not only in Scotland, but in other parts of the coast of the United Kingdom, and unless something is done to protect the fishing areas—and nothing effective can be done except by international agreement—the result will be that the price of fish will continue to rise, because the supply will continue to fall. I apologise for intervening between the Scotch Members and the Lord Advocate, but the question is one in which increasing interest is now being taken in every part of the United Kingdom.

MR. TENNANT (Berwickshire): The Scotch Members ought to thank the hon. Baronet, and also the hon. Member opposite, for having taken up the cause we have so often urged in this House—namely, that increased attention should be given to the condition of the fishing industry in Scotland. One matter which was mentioned by the hon. Member opposite struck me very forcibly. He talked about the amount of capital that was now being embarked in the fishing industry. That is perfectly true, but the fishermen cannot take their capital out of that industry, because they cannot change their calling all at once. I have often wondered whether the Government are alive to the very serious condition of affairs all round our coasts. In my own constituency last winter men were literally starving, and, rightly or wrongly, they attributed their condition to the amount of trawling going on. I have only risen to heartily support the motion of the hon. Member for East Aberdeenshire.

*MR. WASON (Clackmannan and Kinross): I wish to ask a question with reference to the salmon fishery on the River Forth. A decision was given in the House of Peers by which salmon fishing is prohibited in a certain way—namely, by "took and haul" and "hang nets," but nothing whatever was said about the universal practice of drift net

fishing, and I have been asked to ascertain from the right hon. Gentleman whether or not the decision prohibits that practice, and also whether stake-nets are prohibited.

MR. CROMBIE (Kincardineshire): I do not think it necessary to enter into the question of trawling, because I have frequently expressed the same views as were expressed by the Member for East Aberdeenshire to-night. I want especially to call the attention of the Lord Advocate to another matter raised by my hon. friend, and that is the migration of fishermen to the towns. This matter has been going on for many years, and it is a very slow but very serious social revolution. In my own constituency villages which twenty years ago were important fishing centres have not now a single boat. Finnon, which gave its name to the celebrated brand of haddocks, has at the present moment scarcely a fisherman, and the same thing is happening in other villages. I do not suggest that the Government can stop this migration, because I believe it is a movement which depends on questions of political economy beyond the limits of the Government, but I think that the Government should recognise it and not shut their eyes to it. I believe that the main cause of this migration is that the fishermen in the small harbours cannot now pursue their calling with success because these harbours will not accommodate the larger boats now required. Not only that, but the insurance companies refuse to insure boats in harbours which are not entirely safe. Recently a great disaster happened in a small fishing town, and not one of the boats which had been lost were insured. I myself reflected on the fishermen for not having done so, and was informed that the insurance companies would not insure a single boat from that harbour. It seems to me that the Scotch Fisheries Board does not recognise the state of things which exists. It is too ready to grant sums of money to small farmers on whom it should not be spent. I think we had a case in the constituency of my hon. friend the Member for East Aberdeenshire in which a large sum of money was spent on a harbour, and yet the fishermen left the harbour and came into Aberdeen. It does seem to me that this money, under such circumstances, was wasted, and that it would be much better for the Fisheries Board to spend money on the large harbours that could accommodate large boats, and that would be suitable for the requirements of modern fishing. But that is not the policy of the Board. Whenever a harbour is not altogether a fishing harbour—if merchandise is brought into it—then it gets no grant. Stokehaven, which might be made one of the finest harbours on the coast, has applied over and over again for a grant, but has been refused because it is not purely a fishing harbour, although if it got a grant it could have accommodated many villages in the vicinity. I think the Fishery Board might recognise the trend of modern affairs better than it does.

*MR. WEIR said he should like to ask the Lord Advocate what steps had been taken under the North Sea Fisheries Convention to keep foreign trawlers out of the Moray Firth. Last year there were fifty-two foreign trawlers fishing in the Firth. Year after year the matter has been brought forward and, he regretted to say that nothing had been done to bring about the cessation of such an unsatisfactory state of affairs, and instead of matters showing an improvement they were going from bad to worse. The answer given to him in the House some time ago showed that twenty-three more foreign trawlers were engaged in the Moray Firth last year than in the previous year. Was it not time that some energetic steps should be taken by the Secretary for Scotland, and his colleagues in the Cabinet, to put a stop to such a state of matters? The Committee heard from another hon. Member representing a fishing constituency that whole villages and towns were being depopulated on account of the trawlers carrying on their work within the three mile limit. He was not condemning the trawlers, but they should fish out at sea. Why did not Lord Salisbury take steps to remedy that grievance, and allow line fishermen a chance of getting a living? On the 3rd April last he had asked for information as to how many days foreign trawlers had been fishing in the Moray Firth, and he was informed that the details he had asked for could not be given without going over the logs of the cruisers for the whole year. He thought that the Committee had better know where they were. Was it that the

commanders of the cruisers set the Secretary for Scotland at defiance, or was the reply merely an evasive answer to get rid of a troublesome question? If these commanders set the Secretary for Scotland at defiance, what had the Lord Advocate to say? If he were in the Transvaal he would have them shot straight away in the interests of discipline. One of these commanders was paid £100 a year by the Fishery Board for Scotland, and yet he set that Board at defiance. He hoped the Secretary for Scotland would show a little more backbone in such matters. British trawlers were excluded from the Moray Firth, while foreign trawlers fished in it. He did not want British trawlers in the Firth, but he thought all the trawlers ought to be cleared out. It was a gross injustice that foreign trawlers should be allowed to sweep the harbours of the Moray Firth and take the fish to English ports for sale. That ought to be stopped, and he sincerely trusted that the Lord Advocate would impress on the Secretary for Scotland the necessity of not allowing the matter to pass by from year to year. It had a serious effect indeed on the fishermen along the coast of Scotland. He had received a copy of a memorial within the last few days, which had been sent to the Secretary for Scotland from ten different associations in Scotland, urging the Government to send down one or two more cruisers to watch the coast around the Hebrides, which was a magnificent fishing ground. They were told that captures were effected at times—of course they were; but the very fact that there were so many captures showed that the evil was an increasing one. Let the Secretary for Scotland approach the First Lord of the Admiralty on the matter. He himself had been successful in getting a cruiser out of the right hon. Gentleman for the coast of Scotland, and if a humble Member could do that why could not the Secretary for Scotland do it also? He asked what was the Lord Advocate about to allow such a state of things to continue? Let the trawlers fish outside if they liked, but they should be prevented from acting the part of sea robbers and stealing what belonged to the line fishermen. The fishing villages were being desolated because of the trawlers and because of the insufficient number of cruisers to look after them. It was true patriotism to prevent men who would fill the ranks of the Army and Navy from being swept away into the large cities, because the Government could not get in the slums of large towns men like they could get in the Hebrides and along the coast of Scotland. In 1894 there were 11,217 registered fishing boats in Scotland, and in 1898 there were only 10,485, or a decrease of 732.

MR. GIBSON BOWLES (Lynn Regis): What about the trawlers?

*MR. WEIR said that no doubt the Lord Advocate would be able to furnish the hon. Member with the information he desired. What had become of those boats and their crews? Many of the men had gone into the towns, and did the best they could to get a living. But in England what was the result? The English fishing boats had increased in the same period by 320. He could only suppose that the fisheries round the coast of England were better looked after by the Admiralty cruisers. They did not remain in harbour at night. They were out at sea doing their work, and preventing the fishing beds being depleted by trawlers in the same way as they were on the coasts of Scotland. He asked the right hon. Gentleman to look into this Department, for which he was solely and absolutely responsible, and see that the cruisers did not remain in harbour during the night. Night was the time to go out and catch the trawlers, and send them to the bottom of the sea if necessary. Trawlers were the curse of the Lews, where people who used to get a comfortable living were now almost starving in consequence of their action. He appealed once more to the Lord Advocate to confer with the First Lord of the Treasury, and get more money for cruisers, and with the Admiralty to obtain an addition to the fleet of cruisers. He was sure that with a little careful management and negotiation much more could be done in that way than at present. He had found, as a humble Member of the House, that the First Lord of the Admiralty was "come-at-able" and conciliatory. He now came to the question of harbours and piers. There was a sum of £3,000 for grants-in-aid for the construction of piers and quays. It ought to be a very much larger sum, and he trusted that the right hon. Gentleman would have it increased, because it was so badly wanted. Portmahomack harbour was silting up with sand, and so was Balintore; while

at Avoch, on the east coast of Ross-shire, fourteen or fifteen fishing boats had been smashed for want of shelter. On the west coast there was Portnagurran, Broad Bay, Island of Lewis. The Walpole Commission reported that a harbour was badly wanted there, and would cost £30,000. That Commission seemed to be dust thrown in the eyes of the Scotch Members to stave off the evil day. No effort had been made to build the harbour at Portnagurran, where at present there was only a little boat-slip, which was of no earthly good in a storm. A harbour at Portnagurran would not only be of advantage to the fishing village there, but would form a splendid harbour of refuge for the whole north-west of Scotland. What he complained of was that nothing was done, and though any amount of money could be provided for the landlords, no effort was made to carry out the useful works recommended to the Government by the Commission which they themselves had appointed. There was great laxity in the administration of the Fishery Board for Scotland. Of course the right hon. Gentleman had told them that the Fishery Board was under the control of the Secretary for Scotland, who put the muzzle or the brake on; but would the Lord Advocate see what could be done to get these matters attended to? Other hon. Members could speak of the wants of their own constituencies; he spoke of a few of his own which were so sadly and grossly neglected. They were asked to vote £365 a year for a scientific superintendent, and £262 a year for an assistant inspector of sea fisheries, and it was stated in a footnote that these sums included an allowance for office rent. He supposed that they put that allowance in their pockets. Where were these offices? He did not believe they existed. But if they did exist, how was it that the office of the Fishery Board, in Edinburgh could not be used for these purposes? He had visited the Fishery Board Office, where there were a number of very elegant rooms which did not seem to be very much used. It was a dead and dreamy sort of place; some of the rooms might be utilised by these gentlemen instead of the taxpayers' money being taken for other offices. It was very painful to bring forward such matters year after year, and to find that no effort was made by the Scottish Office to remedy the evils that existed. The Secretary for Scotland was paid £2,000 a year; but he would pay him £5,000 if the right hon. Gentleman would get the work thoroughly well done. He thought that Lord Salisbury might easily have arranged with the North Sea Powers to bring about a settlement of the Fisheries Convention. It was a pity that this country had not taken the initiative at the Hydrographical Conference. That had been done by Sweden, and Great Britain had been compelled to follow the lead of poor little Sweden. This matter of the Fisheries Convention had been going on for two and a half years, and it was time that the Papers were in the hands of the Members of the House.

MR. GIBSON BOWLES said it was impossible not to feel deep sympathy with the hon. Gentleman opposite. He had informed the Committee that he had gone to the Fishery Board Office, and having expounded his views on Fisheries to the members of the Board, he found them dreamy.

*MR. WEIR said he never said anything of the kind. He had gone to the Fishery Board Office and found many elegant rooms, but they were empty, and he thought they might be put to a better use. He never said that the Fishery Commissioners were dreamy; it was the rooms that were dreamy. He hoped that the hon. Member would be more careful, and not misrepresent him.

MR. GIBSON BOWLES said that if the hon. Member found the rooms were empty, it was very clear that the Commissioners knew the hon. Member was coming. It was impossible not to sympathise with hon. Members opposite in their complaint as to the depletion of the fishing villages. The line fishermen were fine sailors, and better men could not be found along the coast; but he did not think that the remedy for the misfortunes of these line fishermen would be discovered in the direction indicated by the hon. Member, who suggested that the Lord Advocate should take command of a gunboat and go about sinking all the trawlers which came within the three-mile limit. But if the Lord Advocate did that they should lose his presence in the House.

AN HON. MEMBER: We would not miss him here.

MR. GIBSON BOWLES said the hon. Gentleman might go as his first lieutenant. The Scottish Fishery Board was the only Department of the State which was occupied with scientific investigations in regard to fish and fisheries, and the total Vote only amounted to £18,000. It was true that £1,000 was paid in England towards the funds of the Marine Biological Institute; but he thought it was disgraceful and discreditable to this country that so small an amount should be paid in the United Kingdom, when they remembered that the United States had a permanent Fishery Commission for the same purposes, and for which it paid no less a sum than £97,000 a year. The reason he was so anxious for a scientific investigation into the life history of fish and their migrations was that at the present moment there existed the most profound ignorance in regard to all these matters. His belief was that it was a delusion that trawlers destroyed the line fisheries. Most fishermen believed that the eggs of large edible fish were laid upon the ground, and that when the trawl lay upon the ground it destroyed those eggs, and consequently the fish, but they now knew that to be wrong. They now knew that the eggs lay upon the water, and that the trawl therefore did no harm. He believed the allegation against the trawlers was absolutely unfounded. It might be that the condition of the line fishermen was due to causes which the Government could not help. It had been said that the number of line fishermen was decreasing, and many of them may have gone inland, or crossed the border and come to England, and given up the calling of a line fisherman for some other occupation, but even now there was an enormous number of men still engaged in that occupation. With regard to the Moray Firth, he did not know whether any man could defend the action of those responsible for excluding English and Scotch fishermen from that part of the Moray Firth which was, and always must remain, open to the rest of the world. Whatever happened, this country could not undertake to police the high seas, and though we might exclude our own people we could not exclude foreigners from trawling in that part of the Moray Firth, which must always remain open to the fishing fleets of the world. He could never understand why that portion of the Moray Firth was closed to British fishermen. With regard to an international agreement, that was not an easy thing to enter into, but, assuming that it could be entered into, would it be wise? There was an enormous number of fishermen carrying on their occupation round our coasts, and if such an agreement was come to the boats of all these men would be liable to be boarded, searched, and detained, not by our own gunboats, but the police boats of every foreign nation. He was not prepared to go that length, and, if the gunboats of all nations were given such power over all our fishermen who fish the North Sea, we should very soon repeal it. He did not believe that that was the remedy. Some of the evils were, no doubt, somewhat exaggerated. He was convinced that the decrease was due to other causes than the depredations of the trawlers, and he hoped the Committee would consider very carefully any action they might take in the matter.

MR. SOUTTAR (Dumfriesshire) said that, so far as he could see, whenever this Vote was discussed hon. Gentlemen immediately attacked the trawling industry. He did not believe in the breaking of the law by trawlers, but he did not think these constant attacks were justified. The hon. Member for King's Lynn had, he thought, hit the nail on the head. If there had been anything wrong in the action taken with regard to the Moray Firth, it was the exclusion from that water of the British trawlers. The matter had been approached from a wrong standpoint by the hon. Member for Ross and Cromarty, and Scotchmen, of all men, should not be the ones to take up such a position as they had with regard to it from an economic point of view. The fact of the matter was, the fishing industry was undergoing a great change. Trawling was as great an advance upon line fishing as the express train upon the stage coach, and it must inevitably take its place. The number of line fishermen had no doubt diminished, but there was no harm in that; they had not disappeared, as the hon. Gentleman would have the Committee believe, they had simply taken to other occupations and moved into the towns. The population of Aberdeen, where the air was just as salubrious, was increasing, and its wealth was increasing by leaps and bounds, owing to the trawling industry, and these fishermen were to

be found there. Hon. Members speaking of the destruction of fish appeared to think that a day was coming when the supply would not be equal to the demand, but no such misapprehension need exist, for the fact had been abundantly proved that if all the world was to feed upon fish, and nothing else, there was abundance in the sea, and the supply would always exceed the demand.

MR. HEDDERWICK said that, but for the remarks of the hon. Member for King's Lynn and the remarkable speech of the hon. Member for Dumfriesshire, he should not have intervened in the debate. The hon. Member for King's Lynn had rather missed the point, which was trawling within the three-mile limit, and had endeavoured to draw the attention of the Committee away from that point by suggesting that the whole matter should be settled by some great Commission. There would be no objection to a Commission which would set at rest much which was not at present known with regard to this subject; but the immediate point was not in connection with this great scientific problem; the immediate question revolved round the law which had been made by the House that no trawling should be allowed within a limit of three miles from the shore. If that law was broken it was as much the duty of the Government to arrest the offenders as it was their duty to arrest a housebreaker or a thief. The hon. Member for Ross and Cromarty was therefore right when he complained and found fault with the Fishery Board. Day and night on the lonely shores of Scotland that law was continually being violated, and it was only fair to say that the efforts made for policing these waters were not adequate to cope with the violaters of the law. The hon. Member for Dumfriesshire was, no doubt, animated by admirable desires when he deprecated the attacks made upon the trawlers, but what he (Mr. Hedderwick) wished to point out was that there was room for the line fishermen and the trawlers as well, if trawlers conformed to the law and did not trawl where they had no right to trawl—but where they did—to the great detriment of the line fishermen, who, as the Lord Advocate had pointed out, were most valuable men to the State. There were 10,000 men engaged in trawling, against 34,000 line fishermen, who had to earn their living under conditions of great peril, and who by that very peril provided the Navy with the best men. The hon. Member was under an entire misapprehension if he supposed that all parts of the ocean were stocked with edible fish. If the hon. Member went to one part of the ocean he might find no fish at all, whilst if he went to another he would find a breed of fish that he had never seen before. If the ocean was swarming with fish, how was it that English soles were not found on the coast of Spain, for instance, or New York? English turbot was not found in all parts of the sea. Fish had their habitats and feeding grounds in particular places, and though they laid their spawn on the water the spawn came close to the shore and only gradually receded into the deeper water, but never into the deep parts of the ocean. Some fish bred in some parts and some in others, and those parts of the coast where they bred were invaluable as nurseries, and it was as much to the interest of the trawler as of the line fisherman that these nurseries should be kept inviolate. It was better for the trawler to fish in deep water, because there he would get the mature fish that were bred in the shallows. If, owing to the competition which existed, and the absence of protection, these nurseries were invaded and harried and scarified so that no fish could find time to rest or breed there, the result must inevitably be that our great fishery beds would be rendered sterile. The hon. Member for Dumfriesshire, he knew, had no desire to encourage the trawlers to break the law, and he would no doubt agree with the hon. Member for Ross and Cromarty in his appeal to the Government that they should do something more than they had done up to the present to preserve these spawning beds and breeding grounds and the waters within the three-mile limit from the depredations of the trawlers.

CAPTAIN SINCLAIR: The debate to which we have listened has ranged over a great variety of subjects. I think we are much indebted to the hon. Gentleman who brought the subject of sea fisheries before the House, because it is one which really deserves to be much more widely discussed and known than it is at present. The opinions which have been expressed on one side and the other by various Members during the debate to-night seem to show that there is a considerable conflict of opinion

and diversity of view in regard to the question of the North Sea fisheries. The hon. Gentleman who brought forward the subject pointed out how, in his opinion, undoubtedly the exhaustion of the North Sea fisheries had been made clear. The fishermen now do go further in pursuit of their calling, and that in spite of enormously increased catching power. In spite of greater efficiency, fishermen have to go greater distances than ever in order practically to maintain, and no more than maintain, the present supply of fish. If those who are interested in the development of the country neglect the physical resources of the sea, which are so valuable a source of food supply to the country, we shall inevitably have to do what has been done in foreign countries—in the United States and other parts of the world—in the way of investigating the question of fish food supply. What has been done in other countries shows undoubtedly how far behind we have lagged in this matter. The real truth of the matter is that there has been considerable over-fishing in the seas in which we fish. Although there is no scientific investigation to support the theory, it is quite possible and probable that the supply of fish is inexhaustible, as only fish of a certain kind and age come into the estuaries and bays and inlets of the country. I think, therefore, it is clear that the supply of fish in the North Sea is not necessarily recruited by fish coming in from other parts of the world. All these points remain very much matters of doubt and supposition, very much matters of hypothesis, and I do not think it is for any of us to dogmatise on the subject. My purpose in rising is to enforce one consideration upon the attention of the Lord Advocate, which has a bearing on this matter. It would be of no service at present to enter into the controversy which has been raised to-night as to the closing or non-closing of the Moray Firth. In my opinion, for what it is worth, the closing of the Moray Firth is entirely justifiable not only on purely scientific grounds, but on economical and social grounds, and, if you like, on political grounds in the best sense of the word. The hon. Member for Dumfriesshire has pointed out how a transition is going on in the fishing industry as in other industries to which he referred, but it is surely proper statesmanship on the part of any Government to modify and reduce as far as possible the inevitable friction and hardship involved in any great transition of the kind. More than that, I think that, going from present-day considerations to those of the future, it will be found that as a field for investigation the Moray Firth is very valuable to this country, and that it is possible, as I hope it may be later on, for co-operation between the North Sea Powers to advance further than they have at present in investigating the subject. It will be seen that we have done our duty in endeavouring to investigate questions which can only be investigated in a closed area. We shall have done our duty so far as lies in our power in having other areas closed so that scientific research may be valuably assisted in the future. Various suggestions and statements were made in the debate which I daresay it will be for the Lord Advocate to take notice of, and which he is far better qualified to deal with than I am. But be that as it may, I regret that this debate should assume an aspect of wrangling between different classes of fishermen in the country. There is room for both, and I wish to point out a consideration which should not be lost sight of in regard to the fisheries in Scotland. A very valuable part of the fisheries in Scotland, in common with other parts, is the herring fisheries. In considering the livelihood, circumstances, and conditions of the fishermen of Scotland, you must take into account that 70 per cent. of the catch and 50 per cent. of the value of the fish in Scotland are herrings, and, therefore, in so far as that proportion goes, and so far as that interest goes, they are entirely withdrawn from any controversy whatever between line fishermen and trawl fishermen, whose industry is confined to white, flat, or round fish, which must be distinguished entirely from the herring fisheries. As long as you have herring fisheries you must consider what their interest is and what the occupation of the fishermen is for the rest of the year. In regard to the Moray Firth, I wish to impress upon the Lord Advocate the inadequacy of the "Garland" as a ship for scientific investigation. No one knows better than the right hon. Gentleman himself the inadequacy of the "Garland," for it has been pointed out by the Fishery Board and in the Committee Report of 1893. The investigations which the Fishery Board have conducted have been hampered and to

some extent rendered nugatory by the inefficiency of the "Garland." Practically that ship can do no very great work, except on the west coast, and everyone knows t requires a sea-going ship, well equipped and of sufficient size, to do the work some of the trawlers do on the east coast of Scotland; and in order to bring the investigations up to date and make them useful for the purpose of comparison with the practical work done by vessels of much larger size, I would urge most respectfully the right hon. Gentleman that in order to carry out the wish expressed by the Fishery Board for Scotland it is very necessary to equip them with a better vessel than at present. It is obvious to everyone who reads the Fishery Board Report as to the size of the vessels sent out to follow the trawlers within the three-mile limit. I think there should be a cruiser able to do that work, but the Government should look to the further strengthening of the fleet now engaged in co-operation with the ships of the Royal Navy in policing these waters. As a matter of fact the policing of these waters is a very serious cost to the country, and I think the system is more or less on its trial. Many critics have during this debate rather cast doubt on the advisability of a strong enforcement of the three-mile limit. The three-mile limit is not peculiar to this country; it is common to all the countries which have coasts on the North Sea; and I agree entirely with what was said by the hon. Member for the Wick Burghs, that that being the law we should have it enforced.

Attention called to the fact that forty Members were not present (Major JAMESON, Clare, W.). House counted, and forty Members being found present,

CAPTAIN SINCLAIR (continuing): The consideration I wish to enforce on the House is that the three-mile limit is a practical system, and, apart from any controversy between liners and trawlers, we must enforce that if only to give the system a trial. There are many critics who say that we get no gain by this—no gain in the fish food supply, no gain to the interest of the country in any respect. That is a matter of question, and one which we shall have to settle later on by investigation, but by all means let us have efficient methods of policing. Early in the debate great doubt was thrown upon the possibility of policing the North Sea as a whole. The hon. Gentleman the Member for King's Lynn talked about policing the high seas. Let us talk about the North Sea and not go further afield at present. There is every evidence to show, not from this country alone but from other countries, that there has been exhaustion there. I mention this to impress my own view in regard to international action in this matter. Whether justified or not, I believe there is a strong conviction in the minds of some hon. Members here and some people outside the House that the Government has not done all it could to advance the policy of international co-operation in this direction. We have never been able, so far as I am aware, to get any satisfactory assurance that the Government has really done anything practical in this matter. It may require time, I admit, to deal with the great difficulties of the situation, but as it is in the interest of foreign countries bordering on the North Sea not less than our own interest, surely that affords an opportunity for pressing the idea of protecting in some way the fisheries of the North Sea. I cannot avoid the conviction that the Government have not done as much as might have been done to press forward this question, whether as regards an extended limit on the closing of areas, or whatever the proper proposal is. The Government have not convinced a number of people interested in this question that they have really made any practical and earnest endeavour to obtain any measure of international co-operation. Everything that was made known to the House—and by that we are obliged to judge—in regard even to the earlier attempts at co-operation seemed to me to indicate very great supineness in the matter, and I regret it most truly, for I believe from the evidence that comes from all sides that it is only by such international co-operation that we can have any hope of preserving the valuable fishing grounds of the North Sea, by whatever means it may be desirable to protect them. In the first place, let us do all we can in this country to inform ourselves in regard to the fisheries of the country. The Fishery Board for Scotland has been instanced to-night as having done most valuable work in this direction. I would plead with the Lord Advocate and the Government to enable that Board to do its work effectively, and for that purpose to equip it more effi-

ciently with the means of scientific investigation. The point I wish to urge upon him is the inefficiency of the present vessel for scientific investigation. Let us go further if you like, and endeavour to organise the fisheries of the other parts of the United Kingdom, so that it may be clearly shown that this country at any rate is doing what it can in this respect. The fact that hon. Members for Ireland and also for England have taken part in this debate seems to indicate that interest in this question is spreading. It is a very good thing that it should, because the fishing industry is a very valuable one, whether as regards the food supply of the country or occupation for the fishermen; but when you look beyond Scotland there is a lamentable want of organisation. Neither in England nor Ireland is there organisation comparable at all——

*THE CHAIRMAN pointed out that the remarks of the hon. Member on this matter were not relevant to the Vote under consideration.

CAPTAIN SINCLAIR: I will certainly endeavour to keep within the limits. Earlier in the debate the whole question of the North Sea was brought up in connection with the Stockholm Conference, to which this Government sent a delegate last year. I was only trying to point out that if we wish to stand well in any international effort to preserve the fisheries of the North Sea, first of all we should do what we can at home. The £18,000 which is reckoned Scotch expenditure in connection with this work is for a service which ought to be borne by the whole of the United Kingdom. Everyone interested in the question recognises the valuable work done by the Fishery Board for Scotland. Let that work be extended, and carried on not only in Scotland, but in England and Ireland. Let the territorial limits be properly policed, not only off Scotland, but off England and Ireland. I venture to suggest that there should be a thorough inquiry into the condition of the fisheries of this country. In 1863 there was a very valuable Commission, of which Professor Huxley and Sir James Kerr were members. They, with great labour and pains, placed on record the results of perhaps the most valuable investigation that has taken place in this matter. There was another Commission about 1883, which, I think, was confined to the investigation of the effect of beam-trawling in the North Sea. There was also a Commission in 1893, but the weakness of it was this—and I think the same thing will be found in connection with any other Committee assembled within these walls to investigate this question—that you cannot get proper evidence at this time of the year, when fishermen are employed elsewhere. I mention that point to enforce the desirability of having a further inquiry into the whole subject. Let the inquiry take what form it may, and whatever form the Government deem most desirable. Here we are in 1900, having had no real inquiry into the subject since 1863. If we are ever to enter into any international agreement on this matter we must first be thoroughly satisfied as to our own facts, and have an opinion based on those facts. We ought to have a distinct policy to advocate, and endeavour to carry it out with the help and co-operation of other nations. We are not doing so much as we ought to be doing in this matter; we are not doing as much as the magnitude and relative importance of this great interest of the country justify. I would urge most earnestly that everything possible should be done to create public interest in this question, and to convince the public that it really is important that these interests, very valuable in themselves and very important to the country as a whole, which are threatened with extinction, should receive consideration and investigation.

MR. BRYCE (Aberdeen, S.) agreed that these debates were almost the same every year; most of the speeches had been so similar to those delivered during the preceding four or five years that one might almost have had a phonograph and reeled off the old speeches instead of having a fresh debate. There were always the same complaints as to the neglect of the Fishery Board, the extension of the three-mile limit, the grievance about Moray Firth, the international agreement, and so forth, but nothing got any forwarder. There was one point which had advanced a little during the year, and that was that more Members had recognised the necessity for having a proper scientific inquiry into the condition of the fisheries. That was a very material point, as Members who asked for international

action were really a little premature, because no international agreement could be arrived at until there were the proper scientific data to go upon. So little was absolutely known in the matter; it was not known even to what extent trawling was doing harm. It was always assumed that trawling was doing harm, and several Members had gone back to that well-worn theme in the course of the evening, but the extent of the damage was unknown. A valuable contribution to the debate had been made by the hon. Member who called attention to other causes which were depleting the supply, and he commended that speech to the attention of the Lord Advocate and the Government. The question of the Moray Firth, again, was an old grievance, and he adverted to it merely to call attention to the ridiculous position in which the question now stood. It had been already pointed out that the only effect of the present law was to allow foreign trawlers to go there, while our own fishermen were prevented. The number of trawlers in the Moray Firth had been estimated at twenty-three, but according to the evidence supplied to him there were sometimes as many as fifty foreign trawlers there. Moray Firth was a fairly large piece of water, but still, fifty trawlers was a very large number for such an area, and it must be perfectly obvious that the presence of those trawlers entirely destroyed the value of any experiment in the closing of the Firth to our own fishermen. The Committee should remember it was proposed to close the Moray Firth not as a permanent measure, but for a certain time in order to enable the experiment to be tried, and to see whether the supply would increase if the spawning grounds were not disturbed by the operation of trawlers. But four or five years ago the foreign trawlers appeared, their numbers had continued to increase, and it was admitted on all hands that their presence entirely vitiated the experiment, and that it was not worth while continuing it. The experiment could not now be properly tried, and it was very doubtful whether, if the British trawler were allowed in, it would further vitiate the experiment. However, he did not wish to argue that question, but all were agreed that the value of the experiment was destroyed by the presence of the foreign trawlers, and there was also the rankling sense of injustice in the minds of the line fishermen when they saw the foreign trawlers coming in and reaping this harvest. Surely such an absurd condition, which no one had denounced more warmly and clearly than the present Prime Minister some years ago, would not be allowed by the Government to continue indefinitely. The matter would have to be dealt with, either by the condition being withdrawn, or by prohibiting foreign trawlers going into the Firth. To make an international agreement such as that would involve, some consideration would have to be given to the foreign trawlers, or an arrangement would have to be made covering the whole of the North Sea. With regard to the general question, the only interest which had to be considered was that of the consumer—not only the consumer of the present, but also the consumer of the future. In these fisheries, particularly those of the North Sea, there was a large and important source of national wealth; it was alleged that that source of national wealth was being wasted by improvident methods of fishing, and certainly it was a matter for investigation. The remedy for some of the injuries suffered by the fishing industry was to be found in getting a proper knowledge of the practical effects of the present system; and, considering the great difficulties which must necessarily arise, that knowledge could not be acquired without some elaborate apparatus, without the expenditure of some years upon the task, and without the co-operation of the principal maritime Powers adjoining the North Sea. The Stockholm Conference seemed to offer an opportunity of having such a joint investigation, and perhaps the Lord Advocate would be able to tell the Committee what progress that Conference had made, and whether its investigations were being conducted on a sufficiently large scale. Several Members had observed that the Fishery Board, although it was prosecuting its inquiries, did not devote enough money or employ sufficient apparatus or observers to make the investigation complete; but he was confident the Committee would not grudge more money in order to enable the Board to prosecute its inquiries properly. He would not discuss the question of an international agreement or the extension of the three mile limit; the arguments for and against had been urged upon the Committee several times. It seemed to him that the knowledge of the facts

was preliminary to everything else, and until they had that knowledge it was not much use talking about an international agreement. He therefore joined very cordially in the suggestion of several hon. Members that the Government should take up the question as a whole, and seriously consider the advisability of initiating an investigation on the largest possible basis, and of trying to get the other Powers adjoining the North Sea to co-operate. If that was done they would be in a position to go forward, and he was certain that if the result of that investigation showed that any single class of fishermen were improperly suffering, or that any particular method of fishing was doing injury, there would be no difficulty in carrying remedial measures through the House. The interest of one particular class must not be permitted to stand in the way of a national benefit, and it was from that point of view that this question must be considered.

*Major JAMESON (Clare, W.) said it was to be regretted the Government had not taken some action with regard to steam trawling. Year after year the same battle was fought, but without redress, and it was somewhat disheartening to find Scotch Members putting down such very small reductions as £10 or £100. In such a case a reduction equivalent to the whole Vote should be moved, but Scotchmen were always economical, and they were economical even in the reductions they moved. Every Irish Member was in absolute accord with the complaints which had been made by the Scotch Members, as, year by year, the fishing industries on their coasts were going out of existence, and he spoke as the representative of a constituency in Ireland who suffered cruelly from the depredations of trawlers, and who had not sufficient boats and nets to carry on their trade. Right hon. Gentlemen on the Treasury Bench were always talking about the difficulty of getting sailors and naval reserves, but was not the extermination of the fishing industries the very worst way of obviating the difficulty? He earnestly hoped the Lord Advocate, as the mouthpiece of the Government, would point out to the Secretary for Scotland that this matter must be attended to, that it could not go on year after year as it had done, and that the demands of the fishermen of Scotland must once and for all be dealt with. If the mover of the Amendment went to a division he should be most happy to support him.

Mr. POWER (Waterford, E.) thoroughly agreed with the remarks of the previous speaker, as the fishermen of Ireland were suffering tremendously from steam trawlers. Scotland very wisely some years ago prevented these trawlers coming within the three mile limit, but the result had been that a large number of those steam trawlers which had previously infested the Scotch coast now frequented the Irish coast, and were doing greater harm than in the case of Scotland. The reason they did greater harm on the Irish coasts was that the authorities had passed bye-laws prohibiting trawling within the three-mile limit, but they had no power to enforce those bye-laws against foreign trawlers. His reason for rising was to ask the Lord Advocate to be good enough to inform him in what way in Scotland they prevented the steam trawlers coming within the prescribed limits, whether they had gunboats, and, if so, how many?

Dr. CLARK said it was perfectly true these were old complaints, but they had to be repeated year after year, because nothing was done to remedy the matters complained of. In this Vote there were three items for paying the salaries of naval officers who ought to see that the law was carried out, and they had to complain that, notwithstanding the fact that they were paying this money, the law was not carried out, and the policing was inefficient. The gunboats on the Danish coast did not look upon policing work as derogatory, and the result was that the law there was carried out, and if the trawlers, when they came to the Scotch coast, met with the same reception as on the Danish coast, there would be nothing to complain of. Another evil, and one which he had not heard alluded to, was that the herring fishery was being seriously affected by the trawlers. The trawlers caught the herrings by day, and day-trawled herrings could not be properly cured, with the result that the reputation of the finest brand of herrings was being entirely ruined. That was a question affecting the right hon. Gentleman himself, because many of his own

constituents were engaged in fishing for herrings, and therefore he trusted the Fishery Board would take some steps in the matter.

SIR MARK STEWART (Kirkcudbrightshire) desired to say a word in regard to the trawlers which were continually coming up from the south of England to many of the beds on the south-west of Scotland. Several hon. Members appeared to be of the opinion that these trawlers did no harm whatever, but when it was found the number of fish was seriously diminishing there must be some reason for it. It was admitted on all hands that during recent years there had been great improvements in the modes of catching fish, the manipulation of the nets, and so on. If that was the case, and yet at the same time the supply of fish was so enormously diminishing, some very substantial reason must exist, and it was a matter the Government should take into very serious consideration. He was quite at one with those who thought an inquiry should be set on foot. He would go further and say that not only ought a Departmental inquiry to be made, but a Commission should be established to consider all the many questions affecting the fisheries on the coasts and also the inland fisheries of the country. He was very anxious to hear from the Lord Advocate what measures were being adopted by the Government, what effect the recent important decision of the House of Lords was likely to have, and whether or not the number of gunboats on the coast of Scotland was to be increased.

*MR. A. GRAHAM MURRAY: The hon. Member for East Aberdeenshire, who initiated this debate, complained that he was tired of talking so often on these old subjects and of bringing up the old grievances, and that complaint was reiterated by the right hon. Gentleman the Member for South Aberdeen, who went so far as to say that he thought a phonograph might supply sufficient occupation for the evening and save us the trouble of debating the question. In one sense, I do not know that we have ever had so satisfactory a debate as that of to-night, because, although in other years hon. Members have joined in a common abuse of the Fishery Board, which has not been altogether absent on this occasion, it has never been made so clear that although they are all anxious to provide some remedy they are really blaming the Fishery Board for precisely opposite reasons. We have really never had such a contrast between those who advocate the claims of the trawlers on the one hand and the claims of the line fishermen on the other, as we have had to-night. The hon. Member for East Aberdeenshire, however, began with making a quotation from a speech of the President of the Board of Trade, which, taken by itself, I think is capable of being grossly misunderstood. The hon. Member said he need not do anything more to show the serious condition the fisheries were in than to quote a sentence of my right hon. friend which he used in introducing the Bill at present before the House for dealing with sea fisheries—

> "That our fishery grounds are being depleted year by year by the operation of the trawl."

Hearing that sentence as the hon. Member used it to-night, I cannot help thinking the Committee would be led to understand that that would imply the unlawful navigation of trawlers in forbidden waters. What I want to point out is that my right hon. friend used that sentence in regard to the well-known beds in the North Sea, not territorial waters at all, but on the other side, on the coasts of Norway and Germany. Whatever we may be able to do for the policing of the fisheries, it is obvious that none of our operations would have any effect on what was being done on those fishery beds. The complaints by the hon. Member really come back to the old and familiar complaints, ineffectiveness of sea-policing, and not having entered into an international agreement. The attack naturally developed in the course of the debate, but in rather a curious way, as is shown by the speeches of the hon. Member for East Aberdeenshire, who opened the debate, and the hon. Member for the Lowestoft Division of Suffolk. Both hon. Members made use of the same phrase in reference to the Moray Firth. Both said that the position of the Moray Firth was a scandal; but what does that mean? The hon. Member for East Aberdeenshire says it is a scandal because the foreign trawlers are not kept out. The hon. Member for Lowestoft says it is a scandal because the British trawlers are not let in. So that though they are unanimous in saying it is a scandal, when they came to apply the remedy it would be the opposite in the one

case to what it would be in the other. That was the beginning of the controversy, and as I have said it developed until, I think, we have never had such an outspoken debate by those who, on the one hand, favour the trawlers and those who do not. Hon. Members from Ireland who are indirectly interested in this question take the same line as the hon. Member for Lowestoft, and the hon. Member who addressed us to-night spoke in favour of the admission of foreign trawlers. With regard to the inefficiency of sea policing, I deny that there has been any inefficiency. I do not mean to say that we have arrived at such a state of perfection that the law is never broken. Consider what it means: we have not only to protect the Moray Firth, but the three-mile limit all round Scotland, and when you come to think of the difficulty of locating a trespass where you cannot go by boundaries as on dry land, but only by an imaginary line, and that you have not only to do this by daylight, but also at night, it is not difficult to realise that where there is a disposition to break the law, the law should be contravened. But speaking on the whole no one could read the Reports of the Fishery Board without coming to the conclusion that the policing of the sea has been active, strenuous, and effective. The particulars as to the policing will be found on the thirtieth and following pages of the Report of the Fishery Board of the general Report. I might incidentally, here, answer the question put to me by the hon. Member for West Kerry. The vessels that are engaged in this work are, first of all, three regular Fishery cruisers; that is to say vessels which are the property of, and are at the disposal of, the Fishery Board of Scotland. Those are helped by the "Jackal," which is constantly used in the service, and by the "Cockchafer" and "Redwing." So that the Fishery Board have the continual service of three ships of their own and three ships of the Admiralty, which are engaged in this service. As a consequence there have been seventeen prosecutions during the past year against trawlers. And the way those prosecutions were handled is sufficiently shown by the fact that in every one the authorities were successful in obtaining a conviction, a statement which in my opinion reflects great credit on the police boats and the various officials in Scotland who had the conduct of the prosecutions. In addition to those there were a great many cases in which there were no prosecutions; but in order to show how much on the alert they were there is a table in the appendix which shows the number of various boats that were detained during the year until fishing delinquencies of one sort or another were entered into. That table shows a grand total of 646 boats which were detained pending inquiries. I honestly think when these particulars are looked into it really is not the case to say that the policy has not been effective and thorough. No doubt as long as the world lasts and the fishing industry goes on as it does, complaints will be made, and I expect them to be made, but I really do not think any complaint can be made against the Fishery Board on this matter. I may say that this fleet is shortly to be strengthened by another cruiser, which it is hoped will be ready by December next. There has been a change of policy in this matter, and instead of being dependent on the Admiralty as heretofore the Fishery Board now have their own cruisers. I might say incidentally that the complaint of the hon. Members for Ireland that the trawlers descended on the Irish coast is a back-handed compliment to the policing of the waters of Scotland, because it simply means that it is very much easier to trawl off Ireland, where the policing is non-effective, than off the coast of Scotland. With regard to the details asked for by the hon. Member for Ross and Cromarty, who was exceedingly sarcastic as to the efficiency of the Secretary for Scotland in not having given the details asked for, which were a return of all trawlers seen on forbidden ground, I may say those details could not be given because it would necessitate going over the logs of the whole of the fishing boats.

*MR. WEIR: It was given in the previous year by the right hon. Gentleman.

*MR. A. GRAHAM MURRAY: And I may say the hon. Gentleman has not the right to have given to him everything he asks for. The question is whether it would be right to put all the trouble and expense of time upon the officers not only of the Fishery Board, but of the Navy, of making a Return, the result of which

would not, so far as I can see, put the matter any further forward. I pass from that to what I think is the only other complaint of the hon. Member, and that is the neglect to push forward an international agreement. With regard to an international agreement, I think we are now furnished with greater knowledge and more scientific information and statistics than we enjoyed before. Her Majesty's Government have been very anxious to bring the powers together, but that is a question of very grave difficulty, and one which it is impossible for any Government to work out very rapidly. I confess that evidence is very rapidly accumulating of the decrease in the supply of fish. We have had a very halcyon speech from the hon. Member opposite, who assures us that if everybody was to eat nothing but fish it would not diminish the great supplies in the seas. That may be true, but you might as well tell a man in the middle of a desert that there was more water in the world than he could drink. The question is, how are you to get the fish out of the sea? I cannot help coming to the conclusion that unfortunately there has been a very great diminution in the fish supply. Without going for a moment into the question as to how that is caused, that it is so is shown by the fact that in order to maintain the same catch of fish as formerly not only have the boats had to go a great deal further out to sea, but the catching power of the whole combined fleet is very much greater than it used to be. That there has been a diminution in the supply is shown by the consideration of the statistics; but if anyone doubts the statement, let him ask any fishermen on any part of the coast, and they will tell the same story in regard to the diminution of the supplies near at hand. Undoubtedly something must be done in the matter if the depopulation of the seas is to be arrested, and I am quite sure that Her Majesty's Government or any other Government will have the very greatest incentive to press forward so far as they can an international agreement and co-operation in this matter. Speaking for the Fishery Board, I am sure that it will never be urged against us that we have not continued to throw our whole weight into the scale in favour of such a measure as I have indicated. In regard to the criticism of the policy of this Fishery Board I am bound to say, after all, that I do not think I have very much to meet. There are, perhaps, one or two points upon which I ought to say a word. Several hon. Members have drawn attention to the fact that there is an unfortunate depopulation going on in many of the smaller fishing villages. No doubt some hon. Members look upon that as another evidence of the deleterious effect of trawling. I do not wish to raise that controversy, but I would again call the attention of hon. Members to what appears in the Report of the Fishery Board for Scotland, a Report which I venture to say will repay perusal by anyone, and which I think reflects the greatest credit on the Department which has issued it. In that Report the Board call attention to two facts; first of all, that this year has been a year in which there has been an enormous increase in the results of trawling as against the results of line fishing. The figures have practically been inverted. Up to the present the total catch of line fishermen —who, of course, are a great deal more numerous than the other—has always been ahead of that of the trawlers, but this is no longer the case. And more than this, the average price obtained by the trawlers is very much larger than the average price obtained by the line fishermen. Then there is the fact which is clearly brought out now, that the small fisherman is more and more going to the wall; and accordingly you have at least one very obvious economic reason for this depopulation—namely, that it really no longer pays so well to fish in small places, where, firstly, the harbours are not of sufficient size or depth to accommodate the size of the boat so as to make it profitable; and secondly, there is no ready market for the fish when it is landed. The whole tendency of the fishing trade is to employ larger and larger boats, and consequently there has been latterly a tendency to centralisation, a tendency which the Fishery Board, like other people, very much deplore in the interests of the population, but which I must confess—as will be seen from a perusal of the Report—is the inevitable result of the way in which fishing is being carried on. This matter, I think, is very cognate to what was said about harbours. Of course it would be possible in one sense to keep these fishermen at home if there were harbours that would accommo-

date larger boats; but the Fishery Board say, and I think it is a sentiment which everyone must give assent to, that—

"It is somewhat unfortunate that the tendency to centralisation in the fishing industry is growing so rapidly. The village piers and harbours are also quite unsuitable for the large boats now in use for fishing—the depth of water being too little for entry at all states of the tide, and the shelter afforded from heavy weather quite inadequate. It is difficult to see what remedy is to be found for this state of matters, as it can hardly be expected that each little fishing community is to be provided with a deep-water harbour, and the market accommodation and railway facilities provided at the larger centres, where the revenue derived from the industry is so considerable."

That seems a hard fact, which, however much we may regret it, we cannot get over. In regard to the harbours, I think that is really the answer to some of the complaints of the hon. Member for Ross. The amount of money which the Fishery Board has at its disposal for this purpose is limited to £3,000 this year, and that has to go, in one sense, all over Scotland. The hon. Member for Ross asks, "Why not have a harbour at Portnagurran?" A harbour there would cost £30,000, whereas the Fishery Board are only allowed £3,000 for the whole of Scotland. The hon. Member for Kincardineshire deprecated the spending of money on the smaller harbours; but, after all, all the Fishery Board are able to do is to hold an even balance between the claims of the various portions of the coast, and it is obvious that it is only possible to make small harbours, and not large harbours of refuge like those asked for by the hon. Member for Ross. The only other topic on which I should say something is that of scientific investigation. It has been pointed out that the Fishery Board of Scotland has at least this feather in its cap, that it is really the only Government Department which is doing any work of this kind in the United Kingdom. Hon. Members will find from the Report that we have done very effective work in this direction, considering the limited means at our disposal. The hon. Member for Forfarshire said he would like the results compared with results elsewhere, but I do not see how that is possible while there are no Government Departments elsewhere doing the same work; and although that may be a proper thing to do in the future, it cannot be done at present. The hon. Member also spoke about the Moray Firth. Of course it is quite obvious, without going into the Moray Firth controversy, that for purposes of scientific investigation, what has happened there destroys the usefulness of that place as a spot where accurate scientific investigations can be carried on. Here again I can scarcely agree with the hon. Member for Aberdeen that the reason why Moray Firth was closed was on account of scientific investigations. I think it will be admitted that there was a general consensus of opinion among the fishing population that immature fish were caught in the Moray Firth through the operation of trawling. The hon. Member for Ross wanted to know where the office was. I think he will find the office at Aberdeen, but I do not suppose he has looked there. I think I have now dealt with all the matters of general importance, and the only thing that remains for me to do is to answer the point raised by the hon. Member for Clackmannan. The hon. Member for Clackmannan asked me what would be the result of a recent decision in the House of Lords. It is not usual on the estimates to deliver legal opinions, but I am perfectly willing to answer the hon. Member to the best of my ability. The case decided in the House of Lords the other day would, according to my humble judgment, strike at the hang nets or drift nets in the River Forth, and in point of fact there is no doubt that the decision of the House of Lords overturns the decision of the Court of Session some years ago, which held that these particular nets were according to law. As regards stake nets I do not think I can give the hon Member any useful reply. They have always been illegal in fresh water, but not illegal in the sea, and of course I do not know what particular stake nets he had in view. With regard to the questions of the hon. Baronet the Member for West Kerry, he asked what the cruisers cost. They were built some years ago, and I do not at this moment remember the figures, but I will furnish them to the hon. Member. Then the hon. Baronet asked out of what funds they were built. The "Jackal" was an Admiralty vessel, and, with regard to the others, for two years a sum was put down on a general estimate sufficient to build a cruiser. A few years ago this amount was taken out of the Vote and £15,000 was given out of one of the local funds.

which did not appear on the Estimates, but appeared in the Local Taxation Account, and in return for that the sea policing has been taken over by the Fishery Board. Then the hon. Baronet asked me about the herring brand. The history of the herring brand is rather a curious one. It originally had its origin in the bounty system, but although it was given as a bounty it very rapidly came about that the brand was of immense value in selling the herrings, and consequently when the bounty was abolished all the fishing trade prayed that the brand might nevertheless be continued, as it was looked upon as a certificate of value. Accordingly it was continued, and a bargain was made with the treasurer by which fees are charged for the branding operation, and any balance there is goes to the Fishery Board. Then the hon. Baronet asked was there any good result? I have already shown him that in what I have already said, and if he will read Part 1 of the Report of the Scotch Fishery Board for this year he will find full particulars on the subject. As a matter of fact the price obtained for Scotch herrings during the past year has been greater than ever before, partly owing to the very good fishing and partly owing to the failure of the herring supply in other parts of the world. I think these are all the points that have been raised.

SIR THOMAS ESMONDE: I only wish to thank the Lord Advocate for his courtesy in answering my questions and for the interesting information he has given, which will be of considerable value to fishermen in Ireland.

*MR. WEIR said he complained that the money which ought to be spent on piers and harbours was being hoarded up. In his own constituency, where there were a great number of fishermen and many fishing villages, not a single penny had been expended. He referred the Lord Advocate to the pier at Avoch, on the east coast of Ross, which was destroyed by a gale some time ago, and he asked whether steps would be taken to bring the matter before the Fishery Board for Scotland in order that the pier might be put in a proper condition for boats. The right hon. Gentleman stated that large boats were now required, and he asked that the piers should be made suitable to receive them. Were the fishing villages of Scotland to be allowed to perish because the piers and harbours would not be rendered suitable for large boats? A Committee appointed by a Conservative Government recommended that a harbour of refuge should be established at Portnagurran (Island of Lewis), and he hoped that the Scotch Office would obtain the money to carry out that valuable recommendation. The right hon. Gentleman also referred to the fact that two of the Admiralty cruisers were not under the control of the Fishery Board for Scotland, and he should like to know why £100 a year was paid to the commander of one of these cruisers and £76 to the other. If the Scotch Fishery Board had no control over them, why should that money be paid? If they received the money from the Board the commanders should carry out the instructions of the Board; otherwise the whole thing was a fraud and a sham. The information he had asked for with reference to the number of days foreign trawlers fished in the Moray Firth could be obtained in a quarter of an hour or twenty minutes if the books had been properly kept, and yet he was informed that it would entail too much work. He was one of those who was most careful in his questions and most careful that they should be of a reasonable and not of an inquisitive character and merely intended to waste time. Surely when fair, honest, and reasonable questions of that kind were put they ought to be fairly and honestly answered.

*MR. A. GRAHAM MURRAY: The best answer to the hon. Member when he states that no money was spent in his constituency is that since 1883 out of £3,000 a year his constituents have had nearly £14,000.

*MR. BUCHANAN: I moved a reduction of this Vote in the evening, and I must now take a division, because I gather from the Lord Advocate's speech that during the five years the Government have been in office no steps have been taken to secure an international agreement with reference to fisheries in the North Sea.

Question put.

The Committee divided:—Ayes, 40; Noes, 101. (Division List No. 185.)

AYES.

Birrell, Augustine
Bolton, Thomas Dolling
Brigg, John
Caldwell, James
Cameron, Sir Charles (Glasgow
Clark, Dr. G. B.
Colville, John
Crombie, John William
Dalziel, James Henry
Doogan, P. C.
Douglas, Charles M. (Lanark)
Flavin, Michael Joseph
Flynn, James Christopher
Goddard, Daniel Ford
Gurdon, Sir William Brampton
Haldane, Richard Burdon
Hayne, Rt. Hon. C. Seale-
Hedderwick, Thomas C. H.
Hogan, James Francis
Lawson, Sir Wilfrid (Cumb'land
Macaleese, Daniel
MacNeill, John Gordon Swift
M'Crae, George
M'Ghee, Richard
Mendl, Sigismund Ferdinand
O'Brien, Patrick (Kilkenny)
Pearson, Sir Weetman D.
Pickersgill, Edward Hare
Provand, Andrew Dryburgh
Richardson, J. (Durham, S.E.)
Scott, Charles Prestwich (Leigh
Souttar, Robinson
Steadman, William Charles
Sullivan, Donal (Westmeath)
Sullivan, T. D. (Donegal, W.)
Tanner, Charles Kearns
Tennant, Harold John
Ure, Alexander
Wason, Eugene
Weir, James Galloway

TELLERS FOR THE AYES—
Mr. Buchanan and Captain Sinclair.

NOES.

Atkinson, Rt. Hon. John
Baird, John George Alexander
Balfour, Rt. Hon. A. J. (Manch'r
Banbury, Frederick George
Beach, Rt. Hn. Sir M. H. (Bristol
Bethell, Commander
Blundell, Colonel Henry
Bonsor, Henry Cosmo Orme
Bowles, T. G. (King's Lynn)
Brodrick, Rt. Hon. St. John
Cavendish, V. C. W. (Derbyshre
Cecil, Lord Hugh (Greenwich)
Chamberlain, J. A. (Worc'r.)
Charrington, Spencer
Coghill, Douglas Harry
Collings, Rt. Hon. Jesse
Cook, Fred. Lucas (Lambeth)
Corbett, A. Cameron (Glasgow)
Dalkeith, Earl of
Digby, J. K. D. Wingfield-
Douglas, Rt. Hon. A. Akers-
Dyke, Rt. Hon. Sir W. Hart
Fellowes, Hon. Ailwyn Edward
Finch, George H.
Finlay, Sir Robert Bannatyne
Fisher, William Hayes
FitzGerald, Sir Robert Penrose-
FitzWygram, General Sir F.
Fletcher, Sir Henry
Flower, Ernest
Foster, Harry S. (Suffolk)
Garfit, William
Gedge, Sydney
Giles, Charles Tyrrell
Godson, Sir Augustus Fredk.
Goldsworthy, Major-General
Gordon, Hon. John Edward
Gorst, Rt. Hn. Sir John Eldon
Goschen, George J. (Sussex)
Goulding, Edward Alfred
Greene, Henry D. (Shrewsbury)
Hamilton, Rt. Hn. Lord George
Hanbury, Rt. Hn. Robert Wm.
Heath, James
Henderson, Alexander
Hutton, John (Yorks, N.R.)
Jackson, Rt. Hn. Wm. Lawies
Jebb, Sir Richard Claverhouse
Johnstone, Heywood (Sussex)
Keswick, William
Knowles, Lees
Lawrence, Sir E. Durning-(Corn
Lawson, John Grant (Yorks.)
Long, Rt. Hon. W. (Liverpool)
Lonsdale, John Brownlee
Lowles, John
Loyd, Archie Kirkman
Macartney, W. G Ellison
Maclure, Sir John William
M'Arthur, Chas. (Liverpool)
Massey-Mainwaring, Hn W. F.
Moore, William (Antrim, N.)
Morgan, Hon. F. (Mon.)
Morrell, George Herbert
Morton, A. H. A. (Deptford)
Mount, William George
Mowbray, Sir Robert Gray C.
Murray, Rt. Hn. A. G. (Bute
Murray, Charles J. (Coventry)
Myers, William Henry
Nicholson, William Graham
Nicol, Donald Ninian
O'Neill, Hon. Robert Torrens
Phillpotts, Captain Arthur
Platt-Higgins, Frederick
Purvis, Robert
Rasch, Major Frederic Carne
Remnant, James Farquharson
Renshaw, Charles Bine
Rentoul, James Alexander
Ritchie, Rt. Hon. C. T.
Robertson, Herbert (Hackney
Sharpe, William Edward T.
Shaw-Stewart, M. H. (Renfrew)
Sidebotham, J. W. (Cheshire)
Sidebottom, William (Derbysh
Sinclair, Louis (Romford)
Skewes-Cox, Thomas
Smith, James Parker (Lanarks.
Stewart, Sir Mark J. M'Taggart
Strauss, Arthur
Strutt, Hon. Charles Hedley
Talbot, Rt. Hn. J. G. (Oxf. Univ.
Tomlinson, Wm. Edw. Murray
Tuke, Sir John Batty
Wentworth, Bruce C. Vernon-
Williams, Joseph Powell-(Birm
Wilson, John (Falkirk)
Wolff, Gustav Wilhelm
Wylie, Alexander
Wyndham, George

TELLERS FOR THE NOES—
Sir William Walrond and Mr. Anstruther.

Original Question put, and agreed to.

3. £3,221, to complete the sum for Lunacy Commission, Scotland.

4. Motion made, and Question proposed, "That a sum, not exceeding £2,743, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1901, for the Salaries and Expenses of the Department of the Registrar General of Births, etc., in Scotland."

*MR. WEIR said he found from the Report of the Registrar General that a large proportion of the deaths in the Highlands had not been certified by the medical officers. That was a state of affairs which should not be allowed to continue. The returns should show the numbers of deaths which were certified and the number of deaths which were not certified. The Department appeared to be conducted on a very slovenly method, and he did not know what the Registrar General was about to allow such a state of affairs to continue. Surely it would

be easy to add a column giving the required information. He would ask for information with reference to the sum of £750 for appropriation in aid. On page 180 there was a sum of £350 for a senior clerk, and it was stated that the senior clerk was also interim keeper of the Register of Entails, and one of the second division clerks was clerk of entails. For recording in that register, not during the general Registry Office hours, the two clerks mentioned received last year fees amounting to £35 16s. 5d. and 15s. 8d. respectively. Why was the system adopted of allowing clerks to conduct public business after general office hours? The system did not prevail in England, and was an unsound principle. He hoped the Lord Advocate would be able to give information which would enable the Vote to be taken without a division.

SIR CHARLES CAMERON: I would wish to say a word in support of the first proposition of my hon. friend. The point he called attention to is a very important one, and is of pressing importance in the case of Scotland. Seven years ago I obtained a Select Committee to inquire into the certification of deaths, which was presided over by the President of the Local Government Board. It drew up a number of recommendations, not one of which has been given effect to. In some of the western parts of Scotland it was found that as many as 50 per cent. of the deaths were uncertified by medical men. That is a very flagrant scandal, and it would certainly do something to impress the public mind with the importance of the subject if such facts as that were stated in the Registrar General's Report. There is nothing easier than to give full information in the matter, and I trust that the Lord Advocate will bring his influence to bear on the Registrar General to have that very important and easily-procurable information included in his Report.

*MR. A. GRAHAM MURRAY: With regard to the certification of deaths, I do not know that there is anything more to be said than was stated in the Report of the Committee to which the hon. Baronet referred.

SIR CHARLES CAMERON: What I ask is that we should in future have in the Report of the Registrar General a record of the number of deaths which were uncertified.

*MR. A. GRAHAM MURRAY: The hon. Member for Ross and Cromarty has called attention to the fact that senior clerks in the Register of Entails were paid certain fees in addition to their salaries. I fail to see anything wrong in that The hon. Member knows that in the Register House are kept the Register of Sasines, the Register of Entails, and many others, and it is found convenient that the clerks should be allowed to be paid extra for extra work. This was done under the supervision of the Registrar of Entails, and the whole work of the Register House is under the supervision of the Registrar General.

*MR. WEIR said he did not object to that. What he objected to was that a public Department should be kept open after office hours, with all the attendants hanging about, in order that these two clerks might carry on work for their own profit. It seemed to him that the fees should go into the Public Treasury. He thought it unjust that these clerks, who received a salary for their own work, should take the bread out of another's mouth by doing extra work and getting paid for it in the shape of fees. The system was a thoroughly unsound one, and he was amazed that the Lord Advocate supported it. As to the registration of deaths he thought it would be the simplest thing in the world to have another column in the table showing what deaths were certified, and what were not certified. The Lord Advocate's reply was not satisfactory, since he gave no promise that this state of matters would be altered. In his own constituency there were hundreds of deaths uncertified every year, which he considered a disgrace to any civilised country. As a protest he moved that the Vote be reduced by £50.

Motion made, and Question put, "That a sum, not exceeding £2,693, be granted for the said Service."—(*Mr. Weir.*)

The Committee divided:—Ayes, 34; Noes, 102. (Division List No. 186.)

AYES.

Birrell, Augustine	Bryce, Rt. Hon. James	Clark, Dr. G. B.
Bolton, Thomas Dolling	Buchanan, Thomas Ryburn	Colville, John
Brigg, John	Cameron, Sir Chas. (Glasgow)	Crombie, John William

Doogan, P. C.
Farquharson, Dr. Robert
Flavin, Michael Joseph
Flynn, James Christopher
Goddard, Daniel Ford
Gurdon, Sir W. Brampton
Hayne, Rt. Hn. Charles Seale-
Hedderwick, Thomas Chas. H.
Lawson, Sir W. (Cumberland)
Macaleese, Daniel
MacNeill, John Gordon Swift
M'Crae, George
M'Ghee, Richard
O'Brien, Patrick (Kilkenny)
Pearson, Sir Weetman D.
Provand, Andrew Dryburgh
Richardson, J. (Durham, S.E.)
Sinclair, Capt. John (Forfarshire
Souttar, Robinson
Steadman, William Charles
Sullivan, Donal (Westmeath)
Sullivan, T. D. (Donegal, W.)
Tanner, Charles Kearns
Tennant, Harold John
Wason, Eugene

TELLERS FOR THE AYES—Mr. Weir and Mr. Caldwell.

NOES.

Atkinson, Rt. Hon. John
Baird, John George Alexander
Balfour, Rt. Hon. A. J. (Manch'r
Banbury, Frederick George
Beach, Rt. Hn. Sir M. H. (Bristol
Bethell, Commander
Blundell, Colonel Henry
Brodrick, Rt. Hon. St. John
Cavendish, V. C. W. (Derbys.)
Cecil, Lord Hugh (Greenwich)
Chamberlain, J. Austen (Worc.
Charrington, Spencer
Coghill, Douglas Harry
Collings, Rt. Hon. Jesse
Cook, Fred. Lucas (Lambeth)
Corbett, A. Cameron (Glasgow
Dalkeith, Earl of
Dickinson, Robert Edmond
Digby, John K. D. Wingfield-
Douglas, Rt. Hon. A. Akers-
Douglas, Charles M. (Lanark)
Fellowes, Hn. Ailwyn Edward
Fergusson, Rt. Hn. Sir J. (Manc'r
Finch, George H.
Finlay, Sir Robert Bannatyne
Fisher, William Hayes
FitzGerald, Sir R. Penrose
FitzWygram, General Sir F.
Flower, Ernest
Foster, Harry S. (Suffolk)
Gedge, Sydney
Giles, Charles Tyrrell
Godson, Sir Augustus Frederick
Goldsworthy, Major-General
Gordon, Hon. John Edward
Gorst, Rt. Hn. Sir John Eldon
Goschen, Rt. Hn. G. J. (St. Geo.'s
Goschen, G. J. (Sussex)
Goulding, Edward Alfred
Greene, Henry D. (Shrewsbury)
Hamilton, Rt. Hn. Lord Geo.
Hanbury, Rt. Hn. Robert Wm.
Hanson, Sir Reginald
Heath, James
Henderson, Alexander
Hutton, John (Yorks., N.R.)
Jackson, Rt. Hn. Wm. Lawies
Jebb, Sir Richard Claverhouse
Johnstone, Heywood (Sussex)
Keswick, William
Knowles, Lees
Lawrence, Sir E. Durning-(Corn
Lawson John Grant (Yorks.)
Long, Rt. Hn. Walter (Liverp'l
Lonsdale, John Brownlee
Lowles, John
Loyd, Archie Kirkman
Macartney, W. G. Ellison
M'Arthur, Charles (Liverpool)
Massey-Mainwaring, Hn. W. F
Moore, William (Antrim, N.)
Morgan, Hn. F. (Monm'thsh.)
Morrell, George Herbert
Morton, Arthur H. A. (Deptf'd)
Mount, William George
Mowbray, Sir Robert Gray C.
Murray, Rt Hn A Graham (Bute)
Murray, Charles J. (Coventry)
Myers, William Henry
Nicholson, William Graham
Nicol, Donald Ninian
O'Neill, Hon. Robert Torrens
Phillpotts, Captain Arthur
Platt-Higgins, Frederick
Purvis, Robert
Rasch, Major Frederic Carne
Renshaw, Charles Bine
Rentoul, James Alexander
Ritchie, Rt. Hn. Chas. Thomson
Robertson, Herbert (Hackney)
Sandon, Viscount
Sharpe, William Edward T.
Shaw-Stewart, M. H. (Renfrew)
Sidebotham, J. W. (Cheshire)
Sidebottom, Wm. (Derbysh.
Sinclair, Louis (Romford)
Skewes-Cox, Thomas
Smith, James P. (Lanarks.)
Stewart, Sir M. J. M'Taggart
Strauss, Arthur
Strutt, Hon. Charles Hedley
Talbot, Rt. Hn. J. G. (Ox'd Univ
Thornton, Percy M.
Tomlinson, Wm. Edw. Murray
Tuke, Sir John Batty
Ure, Alexander
Wentworth, Bruce C. Vernon-
Williams, J. Powell- (Birm.)
Wilson, John (Falkirk)
Wolff, Gustav Wilhelm
Wylie, Alexander
Wyndham, George

TELLERS FOR THE NOES—Sir William Walrond and Mr. Anstruther.

Original Question put, and agreed to.

Resolutions to be reported.

Motion made, and Question proposed, "That a sum, not exceeding £8,508, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1901, for the Salaries and Expenses of the Local Government Board for Scotland, and for Expenses under the Vaccination Act, Infectious Disease Notification Act, Local Government (Scotland) Act, 1889, Burgh Police (Scotland) Act, Local Government (Scotland) Act, 1894, Public Health (Scotland) Act, Poor Law (Scotland) Act, and Sale of Food and Drugs Acts, 1875 to 1899."

SIR CHARLES CAMERON said that when the Vaccination Act for England was passed two or three years ago he had asked the Lord Advocate whether it was the intention of the Government to extend the Act to Scotland. From the Report of the Local Government Board for Scotland he found that the proportion of calf lymph distributed to the public vaccinators in Scotland was small compared with infant lymph. Last year there were only 692 tubes of calf lymph for vaccination, against 2,000 tubes of infant lymph. He asked, had any steps been taken to assimilate the practice in Scotland with that in England, and why was it that calf's lymph had not been more extensively introduced into Scotland? His principal purpose, however, in rising was to draw attention to a matter connected with Quarrier's Orphan Homes at Bridge of Weir, Renfrewshire. In these orphan homes there were upwards of 1,000 waifs and strays taken from the

streets and gathered from different parts of the country. The homes were supported by voluntary contributions, and conducted on a system organised by Mr. Quarrier, which had been so successful that a Departmental Committee reported that the results among the children had been infinitely more encouraging and satisfactory than amongst the children sent to industrial schools. Until comparatively recently, an agreement existed between the local authorities and Mr. Quarrier that the homes should be exempted from rates, on his undertaking at his own expense the education of the children and their treatment when sick. Some time ago an action was raised, the result of which was that it was declared to be illegal to exempt Mr. Quarrier's homes from the local rates. Mr. Quarrier then said that if he was going to pay the rates he would claim his privileges as a citizen, and demand from the educational authorities that free education for the children in his homes to which every child in Scotland was entitled, and also the privileges for the children given by the sanitation laws. He could not go into the educational part of the question on this Vote, but only the sanitary. At the time when this attitude was taken by Mr. Quarrier on the one hand, and the local authorities on the other, Mr. Quarrier insisted on getting his children educated at the public schools and treated in the public hospitals of the sanitary authority. The School Board refused to take the children in the public schools, but the sanitary authority received some of them into their hospitals. Since then things had become more acute. On the occasion of a recent epidemic of scarlet fever, a number of children in these homes were attacked, and Mr. Quarrier called upon the local authority to remove them and put them into the infectious diseases hospital. The local authority took one or two of the children and no more. Mr. Quarrier appealed to the Local Government Board, which, after some correspondence, suggested some means of getting out of the difficulty. He believed, however, that nothing had yet been done, and there was in the meantime this state of matters, that if an epidemic of scarlatina or measles broke out in the midst of this large number of children there was no machinery for removing the sick children to a place where they would cease to be a source of danger. It seemed to him that it was the duty of the Local Government Board to have regard to public health, and to have nothing to do with the quarrel between Mr. Quarrier and the local authority. A child of Mr. Quarrier was entitled to all the attention given to any other sick child at the hands of the sanitary authority. It was not conducive to the public health that, in the case of an epidemic, any large body of children should be allowed to become a source of danger to the children of the village and of the entire country. It was the duty of the Local Government Board to amend things of that sort, and they should insist in that being done in a manner competent to them. If the right hon. Gentleman thought that a person in charge of such an institution should be compelled by law to provide accommodation for such cases, let there be legislation for that purpose, but in the meantime no such legislation existed. The law laid it down that the sanitary authority of a district should be responsible for checking these infectious diseases, and the Local Government Board had already recognised their duty in the matter. He saw from their Report that in the case of Ayr, where no sufficient accommodation had been provided, they stepped in and insisted that it should be provided. The case had been taken to the Court of Session, where it was held that the Local Government Board was supreme in the matter, and could insist on the extension of the hospital for infectious diseases, and an hospital for that purpose was accordingly built at Ayr. In another case in connection with a combination hospital, it was laid down that accommodation must be afforded so long as there was any case requiring attention, and that when the accommodation was exhausted it was the duty of the Local Government Board to call on the local authority to provide accommodation. The accommodation at Bridge of Weir was exhausted, or threatened to be exhausted, and an appeal was made to the Local Government Board; but nothing had yet been done to increase it. These epidemics were constantly breaking out, and if another occurred it was sure to spread among the children in the homes, and they would become a source of danger to the children of the town and the surrounding districts. That was most unsatisfactory, and it was the duty of the Local Government Board, as the central authority, to insist that a state of things which constituted so grave a public danger should no longer obtain. The Local Government Board had in this

matter been negligent of its duties. It had failed to step in with a firm hand and exercise its powers for the public good, and had allowed matters to drift in a contrary direction. He moved the reduction of the Vote by £200.

Motion made, and Question proposed, "That a sum not exceeding £8,308 be granted for the said Service."—(*Sir Charles Cameron.*)

*MR. WEIR said that the Local Government Board were responsible for looking after the public health in Scotland. He held in his hand the annual Report of the public health officer for Ross and Cromarty, who was a member of the Medical Council in London, and well qualified to deal with the subject of public health. The report was of such a character that he felt bound to direct attention to it. It stated that there were wells on the Island of Lewis totally unprotected, that there was no hospital for infectious diseases, except at Stornoway, and that the expense had prevented the local authorities from building isolation and other hospitals. In 1899 there were four cases of diphtheria on the Island of Lewis, against three on the mainland; 189 cases of scarlatina against ninety-seven, and eighteen cases of typhoid against fifteen, whereas the proportion of population was only as three to seven. And yet the Local Government Board would not take any steps to bring about a better state of matters. It was marvellous how any person could escape contagion on the Island of Lewis. The Report mentioned one case in which a mother was in bed with fever, while three children were lying on the floor covered only by the rags provided by the doctor. In a village with a population of little more than 300 there were forty-one cases of typhoid fever in six months. The ratepayers could do nothing, and it was a case for the Local Government Board to take action in order to put an end to such a terrible state of affairs. It went on year after year, and yet no action was taken to relieve the deplorable condition of the people on the Island of Lewis. 30,000 people were living in a congested area in most unsanitary dwellings, and no steps whatever were taken to improve their condition. Of course it would be a very serious state of things to turn these poor people out of their homes, but still the Local Government Board ought to attempt something in order to bring about a better condition of affairs. The Island of Harris was in a similar condition, as were also some of the islands off the coast of Inverness. The neglect displayed by the Local Government Board was not confined to the islands of Lewis and Harris, but extended right through the islands of the Outer Hebrides. He should like to know why the inspectors of the Local Government Board were Army men who were pitchforked into these positions. What did they know about diseases like typhoid? Absolutely nothing. The medical officer of health described the dwellings in one of the districts of Ross as in a shocking condition, a standing danger to the public health, and an outrage against all laws of sanitation. In that district forty-one cases of typhoid occurred in an area of a few hundred yards. There were no skilled nurses, and not an hospital nearer than Stornoway, sixteen miles distant. It was absolutely impossible for the poor people to provide suitable isolation hospitals for such cases. The medical officer of health stated that during the prevalence of the fever the children were excluded from school, to their own loss as well as to the loss of the teachers, and that the men were not allowed to attend their annual drill. He would not weary the Committee by further describing the sad state of affairs which existed in that part of Scotland. He felt it was his duty as its representative to bring the matter before the Committee, in order to show the gross neglect and indifference displayed by the Local Government Board in attending to its duties, and in administering the laws passed by Parliament in the interests of the public health. He had visited the huts of the negroes in Africa, and he could say they were better than the crofters' cottages in some parts of the Highlands. And yet the Scottish Office declined to afford these poor people any assistance except on utterly impossible conditions. He considered it was the duty of the Local Government Board to look into these matters. The Vice-President received a salary of £1,200, and the legal and medical members £1,000 each, and there were besides a number of inspectors, chiefly Army men, one of whom was paid 7s. a day out of Army funds. He would ask the right hon. Gentleman to see that the Local Government Board paid some attention to the state of affairs described by the medical officer of health for Ross. He was a well known

and distinguished man, and a member of the General Medical Council, and his opinions were entitled to respect. He hoped the right hon. Gentleman would be able to give him a satisfactory reply.

MR. JOHN WILSON (Falkirk Burghs) said that with reference to the Quarrier Homes which had been mentioned by the hon. Baronet the Member for the Bridgeton Division, every practical man knew the benefits they conferred, and that they enjoyed the confidence and support of the people of Scotland to a very great extent. He was glad to have an opportunity of supporting the hon. Baronet, and he would feel bound to vote with him unless a satisfactory reply were given by the Lord Advocate.

*MR. CAMERON CORBETT (Glasgow, Tradeston) said he should also like to support the hon. Baronet and his hon. friend the Member for the Falkirk Burghs. There was a very strong feeling in the West of Scotland that a very grave injustice had been done to the institution mentioned by its being compelled to pay rates, while being deprived of the benefits derived from their expenditure, and he hoped the Lord Advocate would be able to give a satisfactory reply.

*MR. A. GRAHAM MURRAY: The first question put to me by the hon. Baronet had reference to glycerinated lymph. My answer is that up to the present perhaps the advantages of glycerinated lymph in vaccination have scarcely been brought home so clearly to the people of Scotland as to the people of England, but I am glad to say that the demand for the lymph from the Local Government Board of Scotland is steadily increasing. The hon. Baronet may rest assured that the public demand for the lymph will go on growing, and we have made provision for that in the Estimates. With reference to the question of Quarrier's Homes, if I had known that it was to be raised, I would have brought down the correspondence. I must say in answer to the speech last delivered that the matter should not be confounded with the different question which will arise on the Education Vote, but I would not be in order in referring to that now. I can only deal at present with the question concerning infectious diseases. As a matter of fact, the Local Government Board have not been supine in this matter, nor have they refused the same benefits to the homes that other people have. The Local Government Board under the powers conferred on them under Section 66 of the Public Health Act of 1897 called on the local authority to take the necessary action, and I think my hon. friend will agree with me that nothing more could have been done up to the present. The hon. Baronet says that nothing has happened since.

SIR CHARLES CAMERON: This is no new matter. When there were seven or eight cases of fever the local authorities were called on to remove them, and they refused. The Local Government Board were appealed to, and they stated that nothing further had been done in the matter.

*MR. A. GRAHAM MURRAY: The hon. Baronet will remember the answer I gave to the question he himself put. The next step that can be taken by the Local Government Board is to apply to the courts, and, so far as I know, that has not been done up to the present. I am sorry I am unable to give any further particulars, because I had no notice that this question would be raised on this Vote. But the hon. Baronet may be quite satisfied that the Local Government Board will mete out the same measure in this case as is meted out in all other cases. With regard to the questions of the hon. Member for Ross, he, as usual, used very strong and very general language with regard to the supineness, sluggishness, and general uselessness of the Local Government Board. The hon. Member has, however, scarcely reflected on the difficulty of providing for the accommodation to which he referred. It would be a very difficult, or rather I should say an impossible, task. I must honestly confess I cannot understand what the hon. Member means when he reads extracts from the report of a medical officer of health to that effect, and it is perfectly impossible to throw on the ratepayers the cost of providing hospital accommodation such as a medical man might wish. The hon. Member seems to think that the Local Government Board have some fund at their command which would enable the Local Government Board to step in and provide hospital accommodation where the ratepayers were unable to supply it themselves. There is no such fund, and all the Local Government Board can do is to make the local authorities do their duty in such matters.

*MR. WEIR said that the statements were not his, but those of a distinguished member of the medical profession.

*MR. A. GRAHAM MURRAY: That does not help the argument of the hon. Member. The hon. Member also delivered some remarks on the personnel of the inspectors of the Local Government Board. He said they were mainly Army men, but I do not think that one of the present inspectors has ever been connected with the Army. The hon. Member referred in particular to one gentleman, but he is no longer an inspector of the Local Government Board, and his successor is not an Army man. The suggestion that the inspectors should be medical men is not a suggestion that would be received with favour. The Local Government Board have to perform other duties besides medical duties, and the latter are at present looked after by the medical members of the Board.

Question put.

The Committee divided:—Ayes, 36; Noes, 103. (Division List No. 187.)

AYES.

Bolton, Thomas Dolling	Goddard, Daniel Ford	Steadman, William Charles
Brigg, John	Gurdon, Sir William Brampton	Sullivan, Donal (Westmeath)
Bryce, Rt. Hon. James	Hayne, Rt. Hon. Charles Seale-	Sullivan, T. D. (Donegal, W.)
Buchanan, Thomas Ryburn	Hedderwick, Thomas Chas. H.	Tanner, Charles Kearns
Caldwell, James	Macaleese, Daniel	Tennant, Harold John
Channing, Francis Allston	MacNeill, John Gordon Swift	Ure, Alexander
Clark, Dr. G. B.	M'Crae, George	Wason, Eugene
Crombie, John William	M'Ghee, Richard	Wedderburn, Sir William
Doogan, P. C.	O'Brien, Patrick (Kilkenny)	Weir, James Galloway
Douglas, Charles M. (Lanark)	Pearson, Sir Weetman D.	Wilson, John (Falkirk)
Evans, Samuel T. (Glamorgan)	Pease, Joseph A. (Northumb.)	TELLERS FOR THE AYES—
Flavin, Michael Joseph	Richardson, J. (Durham, S. E.)	Sir Charles Cameron and
Flynn, James Christopher	Sinclair, Capt. J. (Forfarshire)	Mr. Colville.

NOES.

Atkinson, Rt. Hon. John	Goschen, Rt. Hn. G. J. (St. Geo.'s	Murray, Rt Hn A Graham (But^{e}
Baird, John George Alexander	Goschen, George J. (Sussex)	Murray, Charles J. (Coventry
Balfour, Rt. Hn. A. J. (Manch'r)	Goulding, Edward Alfred	Murray, Col. Wyndham (Bath
Banbury, Frederick George	Graham, Henry Robert	Myers, William Henry
Beach, Rt. Hn. Sir M. H. (Bristol	Greene, H. D. (Shrewsbury)	Nicholson, William Graham
Bethell, Commander	Hamilton, Rt. Hn. Lord George	Nicol, Donald Ninian
Blundell, Colonel Henry	Hanbury, Rt. Hn. Robt. Wm.	O'Neill, Hn. Robert Torrens
Boscawen, Arthur Griffith-	Hanson, Sir Reginald	Pease, Herbert P. (Darlington)
Brodrick, Rt. Hon. St. John	Heath, James	Peel, Hn. Wm. Robt. Wellesley
Carson, Rt. Hon. Sir Edw. H.	Henderson Alexander	Penn, John
Cavendish, V. C. W (Derbyshire	Hutton, John (Yorks, N.R.)	Phillpotts, Captain Arthur
Cecil, Lord Hugh (Greenwich)	Jackson, Rt. Hn. W. Lawies	Platt-Higgins, Frederick
Chamberlain, J. Austen (Worc'r	Jebb, Sir Richard Claverhouse	Purvis, Robert
Charrington, Spencer	Johnstone, Heywood (Sussex)	Rasch, Major Frederic Carne
Coghill, Douglas Harry	Keswick, William	Rentoul, James Alexander
Collings, Rt. Hon. Jesse	Knowles, Lees	Ritchie, Rt. Hon. Charles T.
Cook, Fred. Lucas (Lambeth)	Lawrence, Sir E. Durning- (Corn	Robertson, Herbert (Hackney)
Corbett, A. Cameron (Glasgow)	Lawrence, Wm. F. (Liverpool)	Sandon, Viscount
Curzon, Viscount	Lawson, John Grant (Yorks)	Snarpe, William Edward T.
Dalkeith, Earl of	Leigh-Bennett, Henry Currie	Shaw-Stewart, M. H. (Renfrew
Dickenson, Robert Edmond	Long, Rt Hn. Walter (Liverpool	Sidebotham, J. W. (Cheshire)
Douglas, Rt. Hon. A. Akers-	Lonsdale, John Brownlee	Sidebottom, William (Derby.)
Fellowes, Hon. Ailwyn Edw.	Lowles, John	Sinclair, Louis (Romford)
Fergusson, Rt. Hn. Sir J. (Man.)	Lloyd, Archie Kirkman	Smith, James P. (Lanarks.)
Finch, George H.	Lyttelton, Hon. Alfred	Strauss, Arthur
Finlay, Sir R. Bannatyne	Macartney, W. G. Ellison	Talbot, Rt. Hn. J. G. (Oxf'd Un.)
Fisher, William Hayes	Macdona, John Cumming	Thornton, Percy M.
Fitz Wygram, General Sir F.	M'Arthur, Charles (Liverpool	Tomlinson, Wm. Ed w. Murray
Flower, Ernest	Massey-Mainwaring, Hn W. F.	Tuke, Sir John Batty
Foster, Harry S. (Suffolk)	Milward, Colonel Victor	Wylie, Alexander
Galloway, William Johnson	Moore, William (Antrim, N.)	Wyndham, George
Gedge, Sydney	Morgan, Hn. Frederick (Mon.)	
Godson, Sir Augustus Fredk.	Morrell, George Herbert	TELLERS FOR THE NOES—
Goldsworthy, Major-General	Morton, A. H. A. (Deptford)	Sir William Walrond and
Gordon, Hon. John Edward	Mount, William George	Mr. Anstruther.
Gorst, Rt. Hon. Sir John Eldon	Mowbray, Sir Robt. Gray C.	

Original Question again proposed.

Debate arising, and it being after midnight, the Chairman left the Chair to make his Report to the House.

Resolutions to be reported upon Monday next. Committee also report Progress; to sit again upon Monday next.

Adjourned at ten minutes after Twelve of the clock till Monday next.

HOUSE OF LORDS.

Monday, 9th July, 1900.

ROYAL ASSENT.

COMMISSION.

The following Bill received the Royal Assent :—

Commonwealth of Australia Constitution.

PRIVATE BILL BUSINESS.

The LORD CHANCELLOR acquainted the House that the Clerk of the Parliaments had laid upon the Table the Certificates from the Examiners that the further Standing Orders applicable to the following Bills have been complied with :—

London (Clerkenwell and Holborn) Provisional Order.
Electric Lighting Provisional Orders (No. 10).
London (Poplar) Provisional Order.
Croydon Tramways and Improvements.
Newry, Keady, and Tynan Light Railway.
Electric Lighting Provisional Orders (No. 9).
Local Government Provisional Orders (No 7).
Local Government Provisional Orders (No. 9).
Local Government Provisional Orders (No. 13).
Perth and Paisley Gas Provisional Orders.
London County Tramways (No. 1).
Scarborough Corporation.

And also the Certificate that the further Standing Orders applicable to the following Bill have not been complied with:—

Plymouth, Stonehouse, and Devonport Tramways.

The same were ordered to lie on the Table.

PLYMOUTH, STONEHOUSE, AND DEVONPORT TRAMWAYS BILL.

Examiner's Certificate of non-compliance with the Standing Orders referred to the Standing Orders Committee To-morrow.

RICKMANSWORTH AND UXBRIDGE VALLEY WATER BILL.

Report from the Select Committee, That the Committee had not proceeded with the consideration of the Bill, no parties having appeared in opposition thereto ; read, and ordered to lie on the Table. The Orders made on the 26th of June and Thursday last discharged ; and Bill committed.

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 1) BILL.

Report from the Select Committee, That the Committee had not proceeded with the consideration of the Bill, no parties having appeared in opposition thereto ; read, and ordered to lie on the Table. The Orders made on the 26th of June and Thursday last discharged ; and Bill committed.

TRAMWAYS ORDERS CONFIRMATION, (No. 3) BILL [H.L.].

Reported from the Select Committee with Amendments, and committed to a Committee of the whole House To-morrow ; and to be printed as amended. (No. 172.)

HASTINGS TRAMWAYS BILL.

The Queen's consent signified ; and Bill reported with Amendments.

SOUTH EASTERN METROPOLITAN TRAMWAYS BILL.

Reported with Amendments.

BAKER STREET AND WATERLOO RAILWAY BILL.

LONDON UNITED TRAMWAYS BILL.

Report from the Committee of Selection, That the Earl of Gainsborough be proposed to the House as a member of the Select Committee on the said Bills in the place of the Lord Calthorpe ; read, and agreed to.

LONDON COUNTY COUNCIL (MONEY) BILL.

Moved that the Order made on the 12th day of March last, "That no Private Bill brought from the House of Commons shall be read a second time after Tuesday the 26th day of June next," be dispensed with, and that the Bill be now read 2ª ; agreed to ; Bill read 2ª accordingly, and committed.

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

COSTA RICA RAILWAY COMPANY, LIMITED, BILL [H.L.].

BUENOS AYRES AND ROSARIO RAILWAY BILL [H.L.].

Read 3ª, and passed, and sent to the Commons.

GREAT EASTERN RAILWAY BILL.

Read 3ª, with the Amendments; further Amendments made; Bills passed, and returned to the Commons.

HAMILTON, MOTHERWELL, AND WISHAW TRAMWAYS BILL.

ST. ALBANS WATER BILL.

LONDON AND ST. KATHERINE DOCKS AND EAST AND WEST INDIA DOCK COMPANIES BILL.

Read 3ª, with the Amendments, and passed, and returned to the Commons.

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 5) BILL.

Reported from the Select Committee without Amendment, and committed to a Committee of the whole House To-morrow.

TRAMWAYS ORDERS CONFIRMATION (No. 4) BILL [H.L.].

Amendments reported (according to Order), and Bill to be read 3ª To-morrow.

GAS PROVISIONAL ORDER (No. 3) BILL.

Amendment reported (according to Order), and Bill to be read 3ª To-morrow.

RETURNS, REPORTS, ETC.

CRIMINAL AND JUDICIAL STATISTICS (IRELAND).

Part II. Civil Statistics for the year 1899.

PUBLIC RECORDS.

Sixty-first Annual Report of the Deputy Keeper of the Public Records.

TRADE REPORTS.

I. Annual Series:
No. 2471. Norway;
No. 2472. France (Algeria);
No. 2473. Cuba.

II. Miscellaneous Series:
No. 531. State encouragement to industry in Hungary.

FISHERY BOARD FOR SCOTLAND.

Reports on the state of the markets for Scottish cured herrings on the Continent and in the United States of America.

Presented (by Command), and ordered to lie on the Table.

INTERMEDIATE EDUCATION (IRELAND).

Accounts of the receipts and expenditure of the Intermediate Education Board for Ireland, for the year ended 31st December, 1899; together with the report of the Comptroller and Auditor General thereon.

POST OFFICE SAVINGS BANKS.

Accounts presented of all deposits received and paid during the year ended 31st December, 1899, and of the sums received and paid by the National Debt Commission on account of the Fund for the Post Office Savings Banks in the same year.

Laid before the House (pursuant to Act), and ordered to lie on the Table.

COMMITTEE OF SELECTION FOR THE STANDING COMMITTEE.

Report from, That the Committee have added the Earl of Hardwicke to the Standing Committee; read, and ordered to lie on the Table.

NEW BILL.

COUNTY COURTS (IRELAND) BILL [H.L.].

A Bill to amend the law relating to county courts in Ireland—was presented by the Lord Ashbourne; read 1ª; to be printed; and to be read 2ª on Thursday next. (No. 173.)

DIOCESAN REGISTRATION BILL (H.L.].

House in Committee (according to Order). Amendments made; Bill re-committed to the Standing Committee; and to be printed as amended. (No. 174.)

IRISH LAND LEGISLATION—FRY COMMISSION REPORT.

*LORD CLONBROCK: My Lords, in rising to put the question which stands in my name—namely, "To ask Her Majesty's

Government whether any (and if so, what) recommendations of the Fry Commission will be carried into effect in addition to those already adopted; and what are the principal recommendations of that Commission which cannot be carried into effect without fresh legislation"—I think it advisable to explain my reason for the second part of that question. Recently, in the House of Commons, the Chief Secretary to the Lord Lieutenant, in replying to a similar question to the first part of mine, asked whether it was wished to reopen the whole question of land legislation. It would naturally be inferred from this that the adoption of all the recommendations, of any importance, of the Commission presided over by Sir E. Fry would require fresh legislation. Now, my Lords, speaking on behalf of Irish landlords, I may say that we believe that a considerable number of those recommendations, which would introduce a marked improvement into the administration of the Land Acts, could be carried into effect without any legislation whatever. I have given a list of them to my noble and learned friend the Lord Chancellor of Ireland, but I hope I may be permitted to explain some of them to the House, and point out the advantages to be gained by adopting them. In the first place, my Lords, the Fry Commission Report points out that the assistant commissioners and valuers have never been furnished with any definition of what constitutes the fair rent which they are directed to fix. It seems to have surprised the Commissioners that this had not been done, or that any judicial exposition had not been given of what they term "the two weightiest words in the whole statute"—"fair rent"—during more than sixteen years; but it seems still more surprising that, after the defect had been pointed out by such a body as the Royal Commission, no steps should in the last three years have been taken to remedy it. The Report recommends, as a definition of the gross fair rent—

> "The annual sum at which, after all the circumstances of the case, holding, and district have been taken into consideration, the holding in the landlord's hands might reasonably be expected to let from year to year to a solvent and prudent tenant who desired to derive a benefit from the occupation of the tenement, and not from its sale."

This assumption that the holding was in the landlord's hands was not altogether foreign to the Land Commission in its early days, for in a letter addressed by their secretary to one of their valuers (Mr. G. C. Grey), and printed in a Paper laid before Parliament in 1882, the valuer is directed to give his opinion—

> "of the present fair letting value of each holding . . . on the assumption that the holding is now in the hands of the landlord and now to be let."

In pressing this recommendation we only, therefore, ask that they should give as a general direction to all assistant commissioners and valuers what they gave in this particular instance to Mr. Grey. I now come, my Lords, to the recommendations of the Report as to Amendments in the Pink Schedule, in which the assistant commissioners give particulars of the holding of which they fix the rent. They recommend that the annual value should be stated in accordance with the definition which I have given of gross fair rent, so as to negative the tendency to allow for occupation interest. They further recommend that particulars of improvements should be more fully stated than at present, and that where an annual sum is allowed particulars should be given to show whether the charge is permanent, or is to terminate at any definite time. I need not point out to your Lordships the importance and the fairness of these suggestions. In a Pink Schedule, for instance, which I have here, 100 perches of fences are specified and 5 per cent. allowed to the tenant on the capital value; but there is no description of what the fences are or where they are situated on the farm. We wish to submit that their nature should be stated, and their position laid down on the large-sized ordnance map (where procurable) and that map appended to the schedule. As regards the permanence of improvements, I would refer your Lordships to the Agricultural Holdings Act of 1883, with which many of your Lordships are doubtless familiar. In Section 19, sub-section (*d*) it is laid down that the award shall specify—

> "Where the landlord desires to charge his estate with the amount of compensation found due to the tenant, the time at which, for the purposes of such charge, each improvement, act, or thing in respect of which compensation is awarded, is to be deemed to be exhausted."

We submit that the precaution thus taken in this country to prevent a landlord from being charged for an exhausted improvement should be adopted

in the Pink Schedule. At present there is nothing to show that a landlord may not be charged 5 per cent. for ever for an exhausted improvement, and great confusion may arise. My Lords, too much precaution cannot be taken to prevent such future confusion. The case to which this Pink Schedule refers is a remarkable one in another respect. I will not give the names of the parties, or go thoroughly into it, as I am informed the decision will be appealed against. But I may state shortly that, at the first fixing of the rent in 1883, the dwelling-house was pronounced to be the property of the landlord, and a schedule (not in the present form) furnished to him by the Court to that effect. At the second fixing of rent, the assistant commissioners refused that schedule as evidence, and called on him to prove his case again. He had difficulties in doing so, owing to a change of agents, and they gave the house to the tenant. This decision may be reversed on appeal, but I would urge that there should be no necessity for appeal in such a case—that the decision of the Court should be placed on record, and should not subsequently be questioned. There is another point, my Lords, which has only quite lately been suggested to me, and which, although it is not mentioned in the Report of the Fry Commission, is worthy of notice. It is the custom of the Land Commission in the Court tests which are given to the parties concerned, and used by themselves, to describe the rents fixed for the first time as "old rents." Now, in ordinary parlance, "old rents" are the rents payable before the operation of the Land Act of 1881, and by describing the rents fixed for the first term as old rents, the total reduction is made to appear less than it has in reality been. For if a rent has been reduced, say 20 per cent. on the first term, and again 20 per cent. on the second, the total reduction is 40 per cent. from the old rent—whereas by describing the first judicial rent as "old rent" it only appears to be 20 per cent. I would now call the attention of the Government to the recommendations respecting Court valuers, who are appointed by the Land Commission when an application is made for rehearing a case which has been dealt with by the assistant commissioners. The Report recommends that they should constitute a separate body or list of officials, that they ought to be furnished not with the Pink Schedule, as the practice is, but only with the map and description of the property, and that their report should be made in ignorance of the finding below. Further, that they should attend the court, and act as assessors to the Land Commission, and be liable to be examined by them. To these recommendations, my Lords, we attach very great importance. It would take far too long to read to your Lordships all that the Report says on the subject, but I may say that it fully confirms the view which we have always maintained, that under the present system the decision of the court of rehearing is in many cases a foregone conclusion, and the proceedings therefore little better than a farce. For if the valuers are selected from among the assistant commissioners, and sent on to a farm with the Pink Schedule in their hands to review the decisions of the Subcommission it is almost impossible that they should not be biased by the previously expressed opinions of their colleagues, and often content themselves with merely registering their decision. It is therefore urgently necessary that the Pink Schedule should be withheld from the court valuers, in order that they should form an independent estimate. Nor would this be without precedent. In the Housing of the Working Classes Act of 1890 it is laid down in Section 27, Subsection 3, of the Second Schedule, that where the local authority is the appellant in the case of an appeal from the arbitrator to a jury—

> "The amount of compensation awarded by the arbitrator shall not be communicated to the jury, but they shall be required to make an independent assessment of the amount of compensation to which the party claiming compensation is entitled."

It seems only in accordance with sound principles that the valuers should attend the court of rehearing, and be liable to examination at least by the Commissioners. I cannot see why they should not be examined by the parties. In other Courts the most eminent valuers are subject to examination and cross-examination. And now, my Lords, as to purchase, the Report states that the Land Commission—

> "have been over strict in the matter of security, and applications to the Department have been thereby discouraged."

It recommends that the form for the inspector's report should—

"unambiguously draw the attention of the inspector to the fact that he is required to value the conjoint interests of landlord and tenant, which will be brought together in the tenant on purchase."

I commend these recommendations and others which will be found in the Report to the attention of the Government, who take so deep an interest in the purchase question. The Purchase Acts have hitherto been administered as if the interest of the tenant was the only thing to be seriously consulted. No pains have been grudged to make the conditions of purchase as tempting to the tenant as possible. On the other hand, all proposals for mitigating the loss of income and heavy costs entailed on the landlord have been dealt with in a grudging spirit. This policy has prevented many tenants from obtaining the benefits of the Acts. My Lords, I fear I have trespassed too long on the patience of the House in the statement which I have made. My excuse must be the importance of the subject, and the injuries which I believe landlords have been and are receiving from the faulty administration of the Land Acts, and the failure to adopt the recommendations of the Fry Commission. But I must add that, while I am speaking on behalf of landlords, it is not only they that are concerned. It is equally for the interest of tenants, that all rules and principles of administration should be clear, accurate, and easily intelligible; that all estimates of value should be made in a trustworthy and independent manner; and that all questions relating to sale and purchase should be conducted in a liberal spirit.

*THE LORD CHANCELLOR OF IRELAND (Lord ASHBOURNE): My Lords, the subject to which my noble friend has referred is one of importance, and I am not sorry that he has drawn attention to it, because the matter is so much discussed in conversation, in the press, and in literature by those who are interested, that I think it is better to have a perfectly clear understanding with regard to it. Now, my Lords, what was the Fry Commission? The Fry Commission was appointed on 10th July, 1897, and was presided over by a distinguished ex-judge, Sir Edward Fry, for whom I, and I am sure every Member of your Lordships' House, have the most entire respect. That Commission reported on 4th February, 1898. It was not for a moment suggested that the Report of that Commission was to be taken as a new gospel, that every one of the pronouncements it contained was to be taken without challenge or without question, and that all its recommendations were to be accepted *in globo* without criticism or observation. It is obvious, however, that the Report was one to be considered, weighed, examined, and treated with respect, with a view to giving some effect to it. The landowners have themselves declined to accept some leading statements in the Report of the Fry Commission, which had (amongst others) refused to accept the argument that the high prices that were demanded and accepted for tenant right were of themselves demonstration that the rents had been unduly reduced. A great deal of the efforts of the landowning representatives who appeared before that Commission were directed to proving and to establishing this contention, but the Fry Commission declined to accept it, and gave reasons to show that it was one which had to be regarded from several points of view and needed very close examination. I mention that merely to indicate that my noble friend and those for whom he speaks so forcibly and strongly are not themselves in a position to accept some of the strongest and clearest findings of the Fry Commission. In inquiring what is the duty of the Land Commission we must remember that the Commision is not a Government Department, and that the Government have no control over the making of their rules. The Land Commissioners, when once they are appointed by the Crown, are paid out of the Consolidated Fund, and there is no member of the Government, in touch with the making of their rules. I, as Lord Chancellor, take part, of course, in the making of the rules for the High Court and also for the county courts, but I have no voice in the making of the rules for the Land Commission. They make their own rules on their own responsibility, and exercise their own discretion, taking into consideration what they think is right and just. Now, what is the *personnel* of the Land Commission? The members are sometimes spoken of in terms of disparagement, as if they were doing

things which were wrong and unfair, and which nobody else would do. In my opinion the members of the Land Commission are honourable gentlemen who are appointed to perform difficult and important duties, and their honour, integrity, character, capacity, and experience cannot be lightly assailed or called in question by anyone who is alive to the responsibility of his words. They are not only men of the class I have indicated, but they are presided over by a Judicial Commissioner, Mr. Justice Meredith, who is a judge of the High Court, and who, I beg leave to say, is as able, high-minded, and impartial a judge as can be found in any of the three kingdoms. That is the body who have to deal with the greater number of the recommendations of the Fry Commission, and whose actions you have to consider. If all the recommendations of the Fry Commission were not to be accepted without question, what was the duty of the Land Commission with regard to them? It was to examine for themselves honourably, fairly, and impartially the recommendations made, to adopt such of them as in their judgment appeared advisable, and not to adopt such of them as did not commend themselves to their fair judgment. The Land Commission are not responsible for the Act of 1881. If it has worked hardly on any class they are not responsible. If it is not a popular Act with any party in Ireland—and I am not prepared to say it is—the responsibility does not rest with them. They were appointed by the State to administer the Act according to their lights, guided by the obligation that devolves upon them to administer justice fairly and impartially. The Land Commission sedulously applied themselves month after month to this question, and they have adopted a great many of the recommendations of the Fry Commission which are of the very highest importance. They have adopted a rule regulating and rendering more particular and minute the inspection and reports of the court valuers. They have done what is of the highest importance in reference even to the topic spoken of to-day by my noble friend, and have taken care that the decisions of the Land Commissioners themselves and of the Court of Appeal should be circulated among the assistant commissioners so as to give them a clearer knowledge and the highest guidance with reference to their duties; and anyone acquainted with the subject must know that there is nothing so important as to keep the lower tribunals acquainted with the decisions of the law to which they are bound to conform. With regard to the reference in my noble friend's speech as to giving directions to the sub-commissioners, I have to observe that you cannot give directions to a judicial body as to how they are to decide; but you can do what is the most efficacious thing, and the thing most likely to secure equal justice being done—namely, you can take steps to keep them informed of all the most recent governing decisions upon the Land Code to which they are bound to have regard. They have also taken steps to communicate to the parties at as early a date as possible the valuer's report. This was one of the points recommended by the Fry Commission. They are taking steps every day to facilitate the communication of these important documents. Another point to which attention was directed was that of having some automatic or alternative procedure that would save the tremendous expenditure in costs, which constitute one of the great difficulties in the administration of the Land Code. The Fry Commission laid down a long and, I venture to say, a complicated and certainly difficult alternative system, which could not have been carried out without the aid of legislation; but the Land Commission, applying their own mind to the question, have themselves formulated an alternative procedure to promote simplicity and speed of decision apart from the danger and peril of high costs. That has been done, and 1,146 applications have come in under this new form. The furnishing of copies of the Pink Schedule without delay to the parties is being encouraged in every possible way. The Land Commission do everything they can to prevent delay, and they investigate every complaint that is made to them on the subject. I am informed that at the present moment they are applying themselves to perfecting the organisation of their records to prevent an hour being lost. The Fry Commission pointed out that the qualifications of the assistant commissioners were not satisfactory, and urged that these great interests of landlord and tenant should not be decided and regulated by men of

whom no qualifications were required either by Act of Parliament or by rules. The Land Commission, with the aid of the Government and the Civil Service Commissioners, at once applied themselves to this question. They have laid down a system of examination which is now working, and which has applied with reference to all the appointments that have since been made. Then there is another matter to which enormous weight was attached by the very influential class represented by my noble friend, and which also attracted the attention of the Fry Commission. The practice had grown up of having only one lay sub-commissioner to act with the legal commissioner. This was deemed to be unsatisfactory. It was, however, working fairly well, and there were not many complaints. But the Fry Commission reported that on the whole they thought it would be more satisfactory to all parties if that system was dropped, and a universal rule applied of having always two lay sub-commissioners acting with the legal sub-commissioner. This recommendation was adopted after the requisite correspondence with the Government and the Treasury, and it caused the appointment of seventeen new sub-commissioners at an annual cost of something like £15,000. If that is not a test of vigour in applying the recommendations of the Fry Commission, I am at a loss to know what is. This is a slight retrospect of what has been done. My noble friend passed it by as if nothing had been accomplished, but it is obvious from the short statement I have made that a great deal has been done which is of the highest importance. My noble friend has asked why the definition of fair rent given by the Fry Commission has not been adopted? I can answer that in a very few words. The Act of 1881—the governing Act—though every syllable, comma, and semi-colon in it were debated, avoided giving a definition of "fair rent." It prescribed that the fair rent should be fixed, having regard to the interest of the landlord and the tenant, and to the circumstances of the case, holding, and district. That was the only guidance the Act of Parliament gave, and though the matter has repeatedly come before Parliament since that date, I am not aware of any effort having been made to place upon the statute book a definition of fair rent. At all events, the Act of 1881 deliberately and distinctly refrained from giving a definition. Sir Edward Fry and his colleagues formulated what they considered would be a definition that would suit all cases. I ask my noble friend's attention to that. It was not a definition to suit a casual or particular case, but one which was to suit every case under every condition in every part of Ireland. The words they used were—

> "The annual sum at which, after all the circumstances of the case, holding, and district have been taken into consideration, the holding in the landlord's hands might reasonably be expected to let from year to year, to a solvent and prudent tenant who desired to derive a benefit from the occupation of the tenement, and not from its sale."

It is obvious that the new words introduced there are "in the landlord's possession," and when this was submitted to test of the judicial examination in the Land Commission, in the case of Ripley *v.* Macnaughten, before Mr. Justice Meredith, who had the benefit, which the Fry Commission had not, of hearing this matter discussed in all its bearings as a legal point, Mr. Justice Meredith was unable to accept it as a judicial definition which should be applicable to all cases. He pointed out that the words "in the landlord's possession" were not found in the Act of 1881, and that the very opposite was made the foundation upon which fair rent was to be fixed, a tenant being in possession. Mr. Justice Meredith therefore declined to accept the definition, holding it to be ambiguous, and likely in many cases to lead to the assessment of a competitive value of the land, which, in his opinion, was opposed to the true meaning and purpose of the Land Act. Later on the question came before the Court of Appeal. I have the honour of presiding over that court, but I was not present on the particular occasion when the matter came up. My able colleagues, however, were there, and the point was presented in the case of Lord Gosford *v.* Blair. Counsel for the landlord endeavoured to present for the decision of the Court of Appeal the Fry definition of fair rent, and asked the court to determine that it was a definition that should be accepted in all cases to regulate and control the administration of the Land Laws. The Court of Appeal felt bound to say that they could not answer what was a mere abstract question, and that they could only deal with a concrete question in relation to a particular holding that

was to settle a particular rent. Lord Justice Fitzgibbon said, in reference to the matter—

> "It we were to treat the question strictly according to the letter, as simply asking whether the Land Commission was bound in every case to make a false assumption of fact as the basis for determining fair rent, we might answer it at once in the negative, because the Act of 1881, Section 8 (1) prescribes no such assumption, and, on the contrary, it requires the court to fix the fair rent between two litigating parties, one of whom is necessarily in every case an occupying tenant, and it directs that regard shall be had to their respective interests, and that all the circumstances of the case, holding, and district shall be considered."

It is obvious that, after these judicial utterances, it is hardly possible now to expect the Fry Commission's definition of fair rent to be accepted as universally applicable to all cases, save under the pressure of an Act of Parliament. Another matter mentioned by my noble friend was the Pink Schedule. The Pink Schedule, in the opinion of the Land Commission, is at present overloaded, and they cannot regard it as at all desirable that they should be asked to set out any more minute details. I have been asked a question as to the permanence of the allowance for improvements. When a rent is fixed for fifteen years it is for fifteen years, and I assume that the allowance for improvements is for no less a term. The Commissioners are only dealing with the term of fifteen years, and at the end of that time, of course, the matter may have to be examined again. My noble friend referred, I think, to the action of the Land Commission in dealing with tenants who had been guilty of unreasonable conduct, and he argued that it was only right, if a tenant had been guilty of unreasonable conduct and of deteriorating the property, he should be dealt with drastically. That is the opinion of the Land Commission. Over and over again, if a tenant has been guilty of such conduct his case is adjourned, and I am informed that where a tenant is found guilty of unreasonable conduct, his case is postponed until the Commission are satisfied that the holding has been placed in a normal condition.

*LORD CLONBROCK: I did not mention that point because I know that some steps have been taken in that direction.

*LORD ASHBOURNE: I am glad to hear that the noble Lord is of opinion that tenants guilty of unreasonable conduct are adequately dealt with by the Land Commission at the present time. I will, therefore, not pursue that point further. My noble friend directed a good deal of his argument to the position of the valuers, and he held that they should be a separate body. It is true that the court valuers have the status, pay, and position of assistant commissioners, but although that is so, they are, I believe, mainly, if not always, confined to the work of valuing, and do not go backwards and forwards from one function to another. They are largely, if not altogether, bound to direct attention to the important duty of valuing; and does it not stand to reason that the higher the status and the better the tenure you give these men the more reliable will be their work? Then something was said as to their "independence." What is meant exactly by that word?

THE EARL OF MAYO: Independent of the sub-commissioners.

*LORD ASHBOURNE: Surely they are at present independent of the sub-commissioners. How could they possibly be more independent? They go down as court valuers to examine and report upon premises without previously having had communication with the parties or with the sub-commissioners, and they are independent of the sub-commissioners in every sense that can be reasonably given to that term. They are sent to examine, to report, and to give their own independent view.

*LORD CLONBROCK: The Fry Commission specially mentioned a case where the arithmetical blunders perpetrated by the assistant commissioners were reproduced in the report of the Court valuers, owing to what they themselves called the slavish copying of the report of the former officials.

*LORD ASHBOURNE: That was five or six years ago. We have lived and learned, and the sub-commissioners who are now engaged in the work of valuing are kept practically to that duty. Another point was that it was wrong for the Land Commissioners to have two valuers, and that they ought to stick to one.

*LORD CLONBROCK: I did not say so.

*LORD ASHBOURNE: I know you did not—you have too much excellent sense; but one of the points put most strenuously in one of the arguments on this question, in which the Land Commission were attacked in reference to the methods of valuation, was that they should have confined themselves to one valuer. I do not think it is necessary to say anything with regard to that point. My noble friend directed attention to the recommendation of the Fry Commission that the valuer should not be given a copy of the Pink Schedule, but should go down to make his valuation absolutely ignorant of what had happened before. This matter has been very carefully considered by the Land Commission, and they have arrived at the conclusion that it is not a proposal which commends itself to their judgment as business-men. They have not followed it, and they do not think it necessary or expedient to do so. Personally, I hardly think it is advisable, even if it were possible, to send men down to make valuations and keep them in ignorance of what has gone on before. When the matter came up for examination in the Court of Appeal, on a recent occasion, one of the Lords Justices used these words—

"So far as this objection insists upon the court valuers going *de novo* through the details of the work it is a mischievous objection. All valuable information should be supplied, and having regard to the nature of the reference the information as to what was previously done should be especially valuable. The whole object of the rehearing is to correct the previous conclusion on the same subject. Though the Land Commission must rehear the case and pronounce its own judgment on its own responsibility, the knowledge of what was objected to is a help and not a hindrance to a better condition. The same remark applies even more forcibly to the court valuers. Experts are more prone to differ than to agree."

The noble Lord urged that the valuers should attend and constitute part of the tribunal as assessors. That is not a matter that could be dealt with without legislation, for it would be a distinct change in the constitution of the tribunal. I now come to the question of purchase. I must remind my noble friend that at the time the Fry Commission were conducting their inquiries—1897—purchase was at rather a low ebb, possibly in consequence of the Fry Commission. People's minds were occupied with the expectations that always flow from inquiries of this kind, and great changes, it was thought, might result from the Commission. The celebrated Section 40 was then in its infancy, and the Commission gave very cautious, and I am bound to say I do not think particularly useful, suggestions with reference to purchase. One of the points most constantly pressed was that adequate attention was not directed to the fact that the valuers had to deal with a conjoint interest. I believe the Land Commission's view on that subject is that the valuers have always realised that they were dealing with a double interest. But, to prevent the possibility of any question or suggestion in the matter, the following note has been added to the instructions to valuers—

"N.B.—In answering this query the inspector must have regard to the fact that if the advance is made the security will embrace the consolidated interests of the landlord and the tenant in the holding."

That, I think, prevents the possibility of any doubt and obscurity. Though I am not going into statistics, I would like to say that the purchase system is working in a perfectly satisfactory way. It will be a pleasure to the noble Duke, the Duke of Abercorn, who has always taken an interest in the working of the Code, to know that even Section 40 of the Act of 1896 is working reasonably, fairly, vigorously, and hopefully. The purchase transactions this year have amounted to about £1,500,000. In 1897 the number of applications to the Commission were 2,787, but during the past year they have reached the great number of 6,911. Surely it is impossible to explain away these figures. The purchase system is undoubtedly working vigorously and hopefully, and in a way which I venture to think gives ground for the expectation that it will continue to grow and prosper. I am sorry that I have had to occupy so much of your Lordships' time, but, knowing the deep interest that is felt in this question by noble Lords from Ireland, I deemed it right to give all the information I was able to get upon the subject.

*THE EARL OF MAYO: My Lords, I am sure we are all exceedingly obliged to the noble and learned Lord for the very long statement he has made, but when your Lordships come to examine it it will

be found that the question asked by Lord Clonbrock—namely, whether any, and, if so, what recommendations of the Fry Commission will be carried into effect in addition to those already adopted—has not been answered. The noble Lord considered at length those of the recommendations which had already been adopted, and he also made some remarks with regard to prices, upon which Lord Clonbrock did not say one word. The question of prices did not enter into the noble Lord's mind at all. The fact of the matter with regard to prices is that the Land Commission have an agricultural department which publishes prices, and a department which fixes the rents, and it is impossible to reconcile the tables. For instance, the reduction in agricultural prices is given at 4·7 per cent., whilst the reduction in rents has been 24·7 per cent. That shows how little the reduction in agricultural prices affects the reduction in rent. With regard to what the noble Lord said as to the constitution of the Land Commission, I should like to say that we do not dispute that the members are most honourable men. We have not said otherwise in this House or elsewhere, and surely gossip outside is not worthy of the noble Lord's attention. With regard to the definition of fair rent, it would appear that all the legal luminaries in Ireland have come together to try and decide the point, but they do not agree with the Fry Commission. But the Land Commission are in this position: they have to fix our rents, and they have no definition of what fair rent is. I was not satisfied with what the noble Lord said with regard to deterioration. The Land Commission carry out strictly the rule that tenants' improvements must not be charged with rent, but they seldom pay attention to the repeated instances of tenants' deterioration. The noble and learned Lord gave only one instance in which Mr. Justice Meredith dealt hardly with a case of deterioration, but throughout the whole of Ireland this question is a most important one. The sub-commissioners do not make any allowance for deterioration, but allow fully for tenants' improvements. What the noble and learned Lord said on that matter was not at all satisfactory. I understood from his reply that the going backwards and forwards of the court valuers will not occur in the future, but I did not gather from anything he said that any of the recommendations of the Fry Commission which have not already been adopted will be carried out. The statement that the court valuers will not act in a dual capacity in future is most satisfactory, because their goings on hitherto have been, to say the least, open to suspicion. Then the noble and learned Lord argued that the court valuers should be provided with the Pink Schedule and all the information in the possession of the sub-commissioners. Surely, when a valuer is called in it is only fair that we should have an entirely independent opinion. We do not want the opinion of a man who is biassed by the opinion of his subordinates. There is no doubt that the court valuers must be biassed by having all the evidence of the sub-commission in front of them. I do not think it is at all satisfactory that the recommendation of the Fry Commission on this point has not been carried out. With regard to purchase, as the noble and learned Lord has said, it is going on vigorously and hopefully; but from the point of view of the landlords it is certainly not going on generously, because the Land Commission acts simply as a cautious banker of the Treasury. The answer of the noble and learned Lord seems to amount to this, that no further advance is to take place with regard to the recommendations of the Fry Commission. I regret that the answer is not of a more satisfactory character.

*VISCOUNT TEMPLETOWN: My Lords, I venture to support Lord Clonbrock in the question he has brought before the House. However honourable a body of men the Land Commissioners may be, their point of view regarding what ought to be done on the question of the valuing of rents in Ireland is, to say the least, peculiar. The noble and learned Lord said that the Land Commission made their rules with a view to the consideration of justice from their own point of view. In that I heartily concur. It is from their own point of view, and from no other, that they consider the whole transaction. The noble and learned Lord said that it required an Act of Parliament to give a definition of fair rent, or to read the definition into the Act of 1881. I do not deny that that may be so, but I do contend that it is impossible to fix a fair rent unless the Commissioners have some definition of the phrase before them, and that until some definition is produced justice cannot be done to the Irish landlords.

One of the highest authorities who has discussed the question said that the only test of value was the price which the tenant was willing to pay, but that price is entirely excluded in Ireland. I would ask the noble and learned Lord where in Ireland is a landlord able to get the rent which a solvent tenant would offer him? And why is he not able to get it? Because of the Act of 1881. The Land Commissioners fix rents at the present moment on the wildest principles. The noble and learned Lord has referred with a great deal of satisfaction to the fact that applications to purchase farms in Ireland have risen from 2,000 to 6,000 odd. I do not know how he explained that, but I should like to offer an explanation. The increase in the number of applications to purchase farms is due to two causes — first, the reductions in the rents have been so tremendous that the landowners have been forced to sell their land; and secondly, the tenants are waking up to the fact that they can buy land for less than they can sell their own interest in their farms. The noble and learned Lord said more than once, "Oh, that happened years ago." I want to quote to your Lordships a few figures showing what has occurred since the second fixing of rent in Ireland. Here is one estate. The rent in 1881 was £237 5s. 10d., the poor-law valuation being £151. In the first term the rent was reduced from £237 5s. 10d. to £159 2s. 6d., and in the second term, in 1896, to £79 10s. 2d., or something less than half the poor-law valuation. I will not mention names, but here is another case: The rent of the estate prior to 1881 was £205 15s. 6d., the poor-law valuation being £176. In the first term the rent was reduced to £162 17s., and in the second term, four years ago, to £95 6s. 6d. I do not know what justifies these reductions, for they are certainly not due to economic causes or fall of prices. I will quote another case selected out of many. The old rent was £351 9s. 4d. It was reduced on the first term to £246 18s. 3d., and was further reduced at the last hearing to £159 19s. 5d. That is to say, in fifteen years, starting from 1881, these rents were reduced on an average by 60 per cent. I think I have said enough to show that the question of fixing rents in Ireland is one that still requires attention from Her Majesty's Government. If this process is continued and the fads of the tenants are given way to as they are at present, landlords will end by paying tenants to take their property. It is said that the fall in prices accounts for the reduction in rent, but I could quote many cases which prove the contrary. The particulars of a case were placed in my hands the other day by one of the land agents in Ireland in which the rents had been reduced by about 50 per cent., whereas the value of the farm and the prices generally had gone up. I would ask the noble and learned Lord how he can justify reductions in a case of that kind? I am sorry the Lord Chancellor of Ireland has not dealt more satisfactorily with the matter. I hope questions such as these will be brought frequently before the House, in order that your Lordships may be convinced that the hardships of which we complain are real and substantial and require remedying.

*THE EARL OF ARRAN: My Lords, I do not rise to make a speech, but I should like to draw your Lordships' attention to the fact that at the last sitting of the Land Commission at Belfast twenty-five appeals from decisions of the sub-commissioners were heard. In eighteen cases the rents were raised, and in seven only were the decisions confirmed. That is a remarkable number of decisions to be reversed by the Higher Court, and I would ask what your Lordships would think of a Court of First Instance whose decisions were reversed to this extent. I do not reflect upon the sub-commissioners; they are all honourable men. Brutus was an honourable man, but I do not suppose Cæsar found much comfort in that fact.

MILITARY MANŒUVRES BILL—ITS EFFECT ON LANDOWNERS.

*THE EARL OF LICHFIELD: My Lords, I rise to ask the Secretary of State for War why no notice was given to owners of lands affected by the Military Manœuvres Bill previous to or during the passage of the Bill through the House of Lords, and to call attention to the injury which will be inflicted by the Bill in some cases. In order to make my case quite plain it will be necessary for me to refer to some of the provisions of the so-called Military Manœuvres Bill, and to call attention to the manner in

which the Government passed this Bill through your Lordships' House. Clause 4 of the Military Manœuvres Bill confers upon the War Office power to take compulsory possession of certain specified areas of country for twenty days every year, for the purpose of rifle practice, and, in some cases, of artillery practice, under service conditions. During this time no person is to be permitted, under penalties imposed by means of bye-laws framed by the War Office, to enter upon the specified area, except with the consent of the Secretary of State for War, and under such conditions as he may impose. On each occasion, after the War Office have used these lands, compensation for damage to persons or property, and for interference with rights or privileges, is to be provided, but at the will of an arbitrator appointed by the Government; and no compensation is payable if the arbitrator holds that the damage or loss could have been prevented by the taking of reasonable measures for securing safety. The areas specified in the Bill for rifle practice are as follows:—Crown lands at Woolmer, Cannock Chase, a portion of the South Downs between Lewes and Brighton, and a district of the New Forest; those specified for rifle or artillery practice are Dartmoor, a tract of country in North Wales, and three tracts of country—Morne Mountains, Kilworth, and Glen Marsh—in Ireland. I may say that on a rough calculation, but, I believe, a fairly reliable one, there are between 300 and 400 square miles of land, or from 200,000 to 300,000 acres scheduled in this Bill. No notices whatever have been given to the landowners, commoners, or the local authorities, and yet the lands in question are scheduled in perpetuity. We have had several War Office Bills before us lately, and I confess that this Bill escaped my notice during its passage through the House, and as far as I can learn it also escaped the notice of many other peers in the same way. I must congratulate the Government on having got the Bill through without any alterations, because I am quite sure that if attention had been drawn to the provisions of the Bill it would not have passed the House in its present form. There are some maps in the adjoining chamber showing the areas scheduled, and on examining them I discovered that between two and three thousand acres of my own property at Cannock Chase had been scheduled, part of which runs up to the gates of my park. The larger portion of these lands is open common heather-land, on which are grouse, black game, and some wild fallow deer, while some of it is freehold with small holdings, and the remainder consists of a beautiful wild park, within a mile and a-half from my hall door, not my home park, but forming a very important part of my home. My neighbour, Sir Charles Wolseley, also has his fine park, of some 450 acres, scheduled without his knowledge or consent. These parks are very valuable, being within a short distance of a junction on the main L. and N.W.R. line. I will not, however, detain you any longer with my personal grievance, my object is rather to call your attention to the unprecedented provisions of the Bill. These properties are all scheduled in perpetuity without giving the owners any notice or opportunity of defending their rights. I maintain the prospective value of the scheduled lands will be irretrievably damaged. They will be looked upon as plague spots, and no one will buy them for building or manufacturing purposes, as the owner would be liable to be turned out for three weeks in every year; then again the value of the sporting rights will be seriously diminished. I have, myself, valuable sporting rights over these lands, having killed as many as a hundred brace of grouse there in one day, but do you suppose for a moment that anyone would think of hiring these shootings with the knowledge that the Secretary of State for War could have three weeks' shooting on them at any time he liked? Compulsory purchase and compulsory hiring of land have already been heard of in Parliament, but this is the first case of a Government, calling itself a constitutional Government, going in for compulsory land grabbing, pure and simple, without paying one penny compensation whatever. And now I come to the question of the commons and open spaces scheduled in these areas, not by any means the least important part of my case. It is computed that about 100,000 acres of open common lands have been scheduled; the unfortunate commoners will have to drive their cattle and sheep off the scheduled areas, and in some cases they will even have to turn out of their homes, for twenty days in every year, without having had any opportunity of

protesting against this serious curtailment of their rights. There is no doubt they are very hardly treated under this Bill. The public, again, will be kept off these open spaces during twenty days of our all too short summer weather, and in this respect I maintain that the provisions of the measure are quite contrary to the public opinion of the day, and to the practice of Parliament of late years, which has been to maintain these open spaces free to the public for ever. It seems to me that the Government have missed a splendid opportunity. When the country to a man wishes to do everything possible to increase the efficiency of the Army—and there is no body of men more anxious to do this than your Lordships—the Government ought to have come to Parliament and asked for money to acquire ground on which our soldiers can shoot under service conditions. I am quite sure that money for that purpose would have been cheerfully given by Parliament, but they were afraid to ask for the money, and instead of that they are attempting to take land without paying anything at all for it. I do not think the landowners would have complained so much if this were a temporary measure, but these lands are scheduled in perpetuity. To show your Lordships what is thought of this Bill, I heard from a friend the other day whose land is also scheduled, and in his letter he says—

> "I could have understood it from a Radical Government, but not from a Government that calls itself Conservative."

No, my Lords, this is truly a case of "Save us from our friends," for I do not believe for a moment that any Radical Government would have brought in a measure framed on these lines, if only on account of the great commons and open spaces involved. Moreover, I venture to suggest that the manner in which the Bill was carried through the House was quite unconstitutional, and not in accordance with the Standing Orders of the House. I have mentioned the matter to the noble Earl the Chairman of Committees, and I hope he will be good enough to state his opinion to the House, as I feel sure your Lordships would be interested to hear it. If it should turn out that my suggestion is a justifiable one, and that this Bill has not been passed in conformity to the Standing Orders, I hope the Government will see their way to withdraw the Bill, as some mark of respect to this House for having got it through in an unconstitutional manner, or if they decline to do so, I trust that, in justice to all who are concerned in the areas to be taken, they will refer the matter to a Select Committee. We all know what an immense amount of responsibility rests on the shoulders of the Secretary of State for War, and how much he has on his hands, at the present moment; it is therefore with great regret that I have felt obliged to ask him for an explanation of this matter, but I have looked upon it as a public duty to do so, and I hope your Lordships will think that I have been justified in my action. The two points I have specially to impress on the House are, in the first place, that a Bill of this nature ought not to have been introduced without holding local inquiries and without giving full notice to all parties interested—landowners, commoners, and local authorities—as prescribed by the Standing Orders and practice of Parliament; and, in the second place, that it is sought to acquire rights over these scheduled lands in perpetuity without giving any compensation whatever for doing so.

*THE SECRETARY OF STATE FOR WAR (The Marquess of LANSDOWNE): My Lords, I must say, in the first place, a few words with regard to the noble Lord's complaint that there has been in the case of this Bill a disregard of the Standing Orders of your Lordships' House. I understand his view to be that the fourth section of the Bill is of such a kind that it was the duty of the Department responsible for the measure to issue notices last autumn in the usual manner to the owners and occupiers of the land scheduled under the Bill. I have looked at the Standing Orders of your Lordships' House, and I am bound to say that I do not at first sight see anything in them which leads me to believe that this particular part of the Bill is of such a character as to render it incumbent upon the Department to issue notices; but I am very far from claiming to be a skilled interpreter of the Standing Orders, which are somewhat intricate documents, and I prefer to rest myself on the fact that the very experienced gentlemen who assisted us in the preparation of the Bill did not detect any necessity for issuing notices, and, moreover, that the officers of your Lordships' House, who are, I understand, entrusted

with the duty of exercising a certain amount of vigilance upon the irregularities of persons in charge of legislation, did not, at the time certainly, detect that any irregularity had taken place. Of course, if we had been aware that the issuing of notices had been necessary it might have been desirable that we should call the attention of the Examiners to the matter; but I gather from a well-known work—Sir Erskine May's "Parliamentary Practice"—that it is, in the natural order of things, the function, not of the person responsible for the Bill, but of the officers of the House to call attention to the necessity of referring the Bill to the examiners. It is stated on page 443 of the work to which I have referred—

> "If it appears, after the First Reading, that a public Bill affects private rights, notice of this circumstance is sent from the Public Bill Office to the Member in charge of the Bill; and the Examiners of Petitions for Private Bills are ordered to examine the Bill with respect to compliance with the Standing Orders relative to Private Bills."

If there was a want of vigilance it was a want of vigilance for which many of us were responsible, and a want of vigilance which, in the circumstances of the case, does not seem to be worthy of any kind of censure. There is also this to be said in fairness to the Department—that other Bills authorising the holding of military manœuvres in different parts of the country, Bills substantially for the same purpose as this Bill, have never been sent to the examiners.

*The Earl of LICHFIELD: Those were temporary Bills.

*The Marquess of LANSDOWNE: I freely admit that those Bills were of temporary operation, and that this Bill is a permanent measure. The question as to the necessity of notices is not yet disposed of, because I believe it is the case that the Bill has come before the Examiner in the other House of Parliament, and I am told—I do not know whether the authority is good—that he has reported that there has been a breach of the Standing Order, but not of the Standing Order relating to the service of notices on owners and occupiers, but of that relating to the publication of advertisements. The matter is still *sub judice*, and until the question has been disposed of by the Committee in another place, I think I must claim that the point raised by the noble Earl with regard to the non-compliance with the Standing Orders is still an open question. In the meantime no harm has been done because the owners and occupiers of land affected have still an opportunity of raising in another place the question which the noble Earl has raised here, and I have no doubt, if their case is as good as he supposes, they will be able to obtain the redress which they desire. The noble Lord seems to think that he personally has been very badly used, because he received no notice that the Bill affected his private rights to the extent it does. I certainly cannot admit, that so far as the noble Earl is concerned, there was any attempt on the part of the War Office to steal a march upon him. I do not know any Member of your Lordships' House who would be less likely to be caught napping than the noble Earl, who is a constant frequenter of the House. He takes part in the debates, and pays a good deal of attention to our business, and I think he himself admitted that he had not been quite as watchful as he might have been when he made what I would certainly describe as a Second Reading speech on the Bill after it had gone to the other House of Parliament. The Bill was introduced by me in this House on 28th May. I then stated, not at very great length, but I think with sufficient clearness, what the object of the Bill was. I called particular attention to the fourth clause, which I said was to my mind a very important clause, and I gave the reasons for which it was necessary. I referred to the areas which were to be scheduled, and I referred by name to Cannock Chase. I am bound also to add that the noble Earl was in the House at the time. I have a distinct recollection of having seen him on the particular evening, and I see, on reference to the Journals of the House, that he took part in a division a few minutes before I made the statement. Therefore, there was a reasonable opportunity for him to make himself aware of what the nature of the Bill was. The Bill was read a second time on 22nd June, but before that day I had maps showing the scheduled areas exhibited in an adjoining chamber, and on 25th June the measure passed through Committee. The noble Earl told your Lordships that no attention was paid to it in Committee. That is not quite the case. One noble

Lord, Lord Montagu of Beaulieu, who evidently knew that his property in the neighbourhood of the New Forest would be affected, called attention to the Bill. The Bill went to the Standing Committee, and was read a third time on 28th June, so that it was for a whole month within the cognisance of your Lordships' House. As I have referred to Lord Montagu of Beaulieu, I desire to point out that all the landowners who are affected by the measure do not regard it in the hostile and uncompromising spirit which the noble Earl has exhibited. I hold in my hand an extract from a south country newspaper, containing a report of the proceedings of the New Forest Court of Verderers. The report states that—

"Lord Montagu said he would go further and say that a Bill of this character ought to pass, and his Lordship pointed out the difficulties which our soldiers had had to face in South Africa, adding that it was absolutely essential that they should practise in parts of the country at unknown distances under service conditions. As patriotic people they must do the best they could and make the best of it."

Another gentleman, speaking individually, and as representing other Commoners, said—

"He thought they were all agreed there should be no local opposition to the Bill under the present circumstances, as it certainly was their duty to do all they could to provide the troops with proper practising and firing grounds."

That is the spirit in which the Bill has been met in some parts of the country, and I cannot help feeling that if the noble Earl had shown a little more of that spirit in his remarks, he would have treated the subject in a worthier manner. As to the alleged iniquity of the Bill, I am not prepared for a moment to say that in matters of detail the Bill may not require amendment. I am sorry that attention was not called to its details in the House. I can conceive nothing more useful in the case of a measure of this kind than thorough discussion in an assembly like this, in which owners of land are so largely represented. As to the principle of the Bill we take power, under it, to use for a few days in the year certain areas of moorland country, and to close them to the public—a measure which is necessary in the interests of the public itself if these areas are used for rifle and artillery practice. Then we provide for compensation, and the compensation clause is drawn in a most liberal manner. The clause provides that full compensation shall be made for any damage to person and property, or any loss or any interference with rights or privileges, occasioned by the exercise of the powers given by this section, and for any expenses incurred by any person in taking any reasonable measures for securing the safety of any person or property. That is a clause which would provide ample satisfaction for injury, for instance, to those sporting rights to which the noble Earl attaches so much importance. The noble Earl told us that nobody would ever build on one of these scheduled areas. I do not see the least reason why they should not. If buildings grow up the effect would be that the troops would not go there to manœuvre, for if we attempted to manœuvre troops over a district in which cottages were beginning to grow up we should find ourselves face to face with such a claim for compensation as would render it altogether beyond the powers of the public purse to provide adequately for. I venture to press upon your Lordships that powers of this kind are very urgently needed in the interests of the Army. I do not believe there is any country in Europe in which private rights are allowed to prevail to the detriment of the efficiency of the Army as they are allowed to prevail in this country. If those rights prevail, if our troops are to be exercised merely in barrack squares, along the high roads, or in places such as Aldershot, with every feature of which they are thoroughly acquainted, then we cannot expect that our soldiers will exhibit when called upon for service in the field the qualities of resource and readiness which we desire they should possess. I earnestly hope that, however much this Bill may be amended, we shall in substance be given the powers we ask for.

THE EARL OF KIMBERLEY: My Lords, I must plead guilty of not myself having observed the precise nature of this Bill, and of not reading it with sufficient care. I thought it was a Bill of the same nature as those which Radical Governments to which I have belonged have brought in. Those Bills, however, were annual Bills, and therein lies the great difference. I agree with what the noble Marquess has said as to the necessity for having large tracts of land for manœuvres, but I think it is a very strong measure

indeed to take permanent possession of private property by a Bill in this manner. It is an alarming thing. If once the Government are to be given power to take land in this way, without that kind of inquiry which is always made whenever private property is taken, it will open the door to all manner of things. I am not very likely to belong to another Government, but if I do I hope they will not take this as a precedent and adopt this method of dealing with private property. It is very necessary that private property should be taken for public purposes, but whenever that is done it has been a fixed principle in this country to give full notice and compensation to everybody whose property is taken, and an opportunity for them to bring their objections before the Houses of Parliament. I regret one little remark made by the noble Marquess, who rather insinuated that the noble Earl had not shown a proper patriotic spirit. This is not a question of patriotism at all. It is a very cheap kind of patriotism to take other people's land. It is desirable that impediments should not be thrown in the way of the Government in making our forces sufficiently strong for all purposes required, but I protest against our being thereby debarred from looking into the nature of the Bills brought in. I should very much prefer that such Bills should be of a temporary nature, so that Parliament may from time to time have an opportunity of revising them and of seeing whether their continuance is necessary. I cannot, of course, anticipate what may be the decision of the other House, but I hope, at all events, that the course the noble Earl has taken will cause more attention to be paid to the Bill than unfortunately was paid in this House.

THE CHAIRMAN OF COMMITTEES (The Earl of MORLEY): The noble Earl who brought forward this question appealed to me as to whether or not the Standing Orders had been broken in the passage of this Bill through the House. The usual custom is that when a public Bill deals with private rights it is referred to the Examiners. I must plead guilty of some negligence in the case of this Bill, which I did not look carefully into. I have inquired of the officers of the House, and I am told that Military Manœuvres Bills have never been referred to the Examiners, and that they did not see the necessity of taking that course with regard to this Bill. In the House of Commons the Bill has been referred to the Examiners on Standing Orders, and I believe they have decided that the definite Standing Orders of that House dealing with the point in question have not been complied with. What course the House of Commons will pursue it is impossible to say, but I cannot help very strongly supporting the view taken by the noble Earl the Leader of the Opposition. To take these important rights in perpetuity, and without giving the slightest notice either to individuals, or even to the local authorities who are responsible for the districts in which the rights are taken, seems to we a most high-handed and unparalleled proceeding. I quite sympathise with what has fallen from my noble friend as to the necessity of having land on which to exercise our military forces, but that does not absolve the Government Department that brings forward a Bill of this kind from the necessity of giving the persons who are affected ample notice. In this case there was no notice whatever until the Bill was brought into your Lordships' House. The Bill, as my noble friend said, was read a first time before the Whitsuntide holidays. It was read a second time the Friday after we reassembled, and it passed through all its stages during the ensuing week, and was read a third time on the Thursday following. During that time it was impossible for anyone in the country to know what was going on. I earnestly hope that in future, at any rate, it may be a warning to public Departments that in matters of this kind they should give notice in local newspapers and to local authorities, and not merely in the *London Gazette*.

MEMBERS OF LOCAL AUTHORITIES RELIEF BILL [H.L.].

[SECOND READING.]

Order of the Day for the Second Reading read.

THE DUKE OF NORTHUMBERLAND: My Lords, the object of this Bill is to relieve members of county councils and other local authorities from disqualification by reason of absence when such members are serving with the Regular or Auxiliary forces in South Africa or elsewhere. When I asked a question of Her Majesty's Government some weeks ago

on this subject, the Prime Minister practically admitted the hardship of such cases, but suggested that the matter should be put aside for a time until an idea could be formed as to the duration of the war. I imagine that it is impossible to wait much longer if legislation on the subject is to pass both Houses this session, and, therefore, I have ventured to bring in this Bill, which I trust your Lordships will read a second time to-day. The subject has been before the County Councils Association, and a resolution was unanimously passed in favour of such relief being given. I may also say that I have heard from the Association of Poor Law Unions expressing approval of the measure, and I hope that it may become law.

Moved, "That the Bill be now read a second time."—(*The Duke of Northumberland.*)

EARL SPENCER: My Lords, I entirely agree as to the desirability of relieving officers and men who are serving for a short period on active service abroad from the penalty of losing their seats; but I think some limit should be inserted, otherwise the Bill might be taken to include officers serving in India for ten years, and this would mean serious inconvenience to local authorities.

THE LORD PRIVY SEAL (Viscount CROSS): My Lords, on behalf of the Local Government Board I have to say that they are in entire agreement with the principle of the Bill. It may, however, be necessary to suggest one or two Amendments in Committee. I have to ask the noble Duke to put the Committee stage down for Monday, so that the Bill may go before the Standing Committee the next day.

THE DUKE OF NORTHUMBERLAND: In reply to the noble Earl opposite, I may say that the Bill has been drawn with as wide a scope as possible, because I recognised that it would be much easier to narrow the scope of the Bill than to extend it. I shall be happy to consider any Amendments that may be suggested.

On Question agreed to; Bill read 2ª accordingly, and committed to a Committee of the whole House on Monday next.

CRUELTY TO WILD ANIMALS IN CAPTIVITY BILL.

[SECOND READING.]

Order of the Day for the Second Reading read.

LORD JAMES OF HEREFORD: My Lords, I may explain that this Bill passed through the House of Commons, where it was introduced by a private Member, without opposition. It is not in the proper sense of the term a Bill brought forward by Her Majesty's Government, and I am only taking charge of it as a person interested in the subject. I am sure the Bill is one which will commend itself to your Lordships. Existing statutes for the prevention of cruelty to animals (with the exception of one relating to vivisection) include only domestic animals, *i.e.*, those animals which, by their nature, are accustomed to mankind. Wild animals in captivity, and animals which are domesticated although not domestic, and animals which have not been sufficiently tamed to serve some purpose for the use of man, are still without protection from such cruelty as falls short of actual maiming or wounding. To these animals it is the object of the Bill to extend protection. Animals in a menagerie are, I understand, in training often subject to great cruelty. Perhaps your Lordships may recollect an incident which called the attention of the public to this subject. I refer to the cruelty which was inflicted on two elephants at the Crystal Palace. The elephants themselves adopted a course which brought the matter prominently before the public. One elephant mortally injured his keeper, and, having broken from his captivity, proceeded in a direct line to a house occupied by a member of Her Majesty's Government. The elephant broke into the grounds, devastated the shrubberies, and finally pulled down the vineries. This Bill is not intended to deal with cruelty alleged to arise in sport, such as stag-hunting or rabbit coursing, nor in the preparation of animals, etc., for the food of mankind, nor in process of scientific experiment, as these are matters which may be open to controversy. Scotland is excluded, as there are special statutes for the prevention of cruelty in that country. Its only object is to save birds, beasts, fishes, and reptiles, at present unprotected, from unnecessary suffering, wan-

tonly or unreasonably inflicted whilst they are actually in a state of captivity without chance of escape.

Moved, "That the Bill be now read a second time."—(*Lord James of Hereford.*)

*VISCOUNT GALWAY: I am glad to hear my noble and learned friend say that this Bill will not affect sparrow shooting and rabbit coursing, which are very popular in the North of England; but I think care should be taken in the wording, so that it will not be in the power of faddists to commence prosecutions all over the country.

THE EARL OF PORTSMOUTH: I am afraid I must disagree with the noble Viscount who has just spoken. I regret very much that the Bill does not deal with rabbit coursing, which, as practised in the neighbourhood of many large towns, is unmitigated cruelty, without any kind of sport about it. I beg to say that I shall move an Amendment to insert rabbit coursing when the Bill is in Committee.

THE EARL OF MAYO: The objection of my noble friend with regard to rabbit coursing might apply to stag hunting, and that would be a serious matter.

THE EARL OF KIMBERLEY: I hope I read the Bill rightly—the noble and learned Lord will tell me if I am wrong—but it seems to me that the cases mentioned do not come under the Bill at all, because stags and rabbits when let loose are not under confinement. For my part, I should be only too delighted to see the hunting of the tame stag entirely abolished. I should like to know whether worm fishing will not be affected by this Bill; the creature is a reptile, and in fishing is subject to an appliance which hinders its escape.

THE LORD CHANCELLOR (The Earl of HALSBURY): I must say I regard this Bill with some apprehension lest in the absence of a precise definition certain cruelties may be made to come under the Bill, and thus great annoyance be caused. The turning of a fox out of a bag to be hunted is about as cruel a performance as any I can imagine.

LORD JAMES OF HEREFORD: With reference to the observation of the noble Earl, the Earl of Portsmouth, I would point out that the Bill comes from the House of Commons as an unopposed Bill, and that any extension of its provisions will imperil its passing during the present session. I hope we shall not in this case allow the best to be the enemy of the good. I have not heard one word in the discussion which gives any reason why you should provide protection for a cat or a dog and refuse protection to other animals whose freedom has been taken away and who are kept in captivity.

THE EARL OF PORTSMOUTH: After what the noble and learned Lord has said I shall not persevere in the Amendment of which I gave notice.

On Question agreed to; Bill read 2ª accordingly, and committed to a Committee of the whole House on Thursday next.

DESECRATION IN YORKSHIRE CHURCHES.

*THE LORD ARCHBISHOP OF YORK: My Lords, I rise to ask the Lord Chancellor whether his attention has been called to the proceedings of a gang of disorderly persons who in Yorkshire and elsewhere have been entering into churches and removing the ornaments and furniture of the church, as well as destroying or defacing memorials erected in churchyards; and whether there is any law under which such persons can be brought to justice. I shall not detain your Lordships many minutes in speaking to this question. I regret very much to be obliged to bring such a matter before the House. I assure your Lordships that I do so, not from any theological standpoint, but because it relates to an offence against property, aggravated by the fact that the property belongs to the church. I will illustrate the matter by an occurrence in my own diocese. A number of the persons to whom I have referred entered a church, forcibly removing from it part of the ornaments and carrying them off towards the railway station. There was no attempt at concealment, the ornaments being found in their arms. They had with them, I am told, the sub-editor of a well-known newspaper, evidently desirous of notoriety. The persons chiefly interested in that parish very naturally sought means of bringing these offenders to justice. In addition to the injury done to the church, there was a still more shocking

outrage in the case of a churchyard, where they defaced and, to some extent, destroyed a memorial which had been put up under touching circumstances. The persons interested in the former case sought legal advice, and were informed that there is really no remedy; that there is no statute of the realm under which these persons can be brought to justice. If so, it is a very serious defect in the law, and I would like to know from the Lord Chancellor whether these legal advisers are right or not. I shall be glad if the Lord Chancellor is able to tell me they are not right, and that there is a remedy. If not, it seems these criminals cannot be punished, and may go all over the country perpetrating similar outrages without being brought to justice. I earnestly trust a remedy may be found if none exists. I am the more eager to have an answer because, if there is no remedy, there will be a danger of serious conflicts between the proper guardians of church property and these intruders who come and carry away and destroy it.

THE EARL OF HALSBURY: My Lords, the most rev. Prelate disclaimed any theological view of this question, and I need not say that I am desirous of doing the same. It would be extremely undesirable in one called upon to preside over the Judicial Committee of the Privy Council, to which all questions of the sort at which the most reverend prelate glanced ultimately come, to express any view adverse to or in favour of persons who may be supposed to be actuated by religious zeal on the one side or the other. I hope I may be permitted to disclaim any partiality for people who resort to outrage and violence, whether on one side or the other. It is, of course, impossible not to know that very serious questions may arise, which, of course, may lead to serious breaches of the peace unless the law is put in force as far as it can be against these disturbers of the peace. I have no sympathy with either. I have no sympathy with a clergyman who thinks proper to assume to himself the power of the State, and to make a brawl in a church in forbidding a marriage which Parliament has authorised, and which he has no authority or power to prevent, but which he can make disagreeable to the persons about to be married by making a brawl in the church. Neither have I any sympathy with a layman who thinks it proper that he should be invested with more power than the State itself possesses, and, in spite of the rights of others, takes upon himself the character of an iconoclast and destroys what he thinks is an improper thing to be in a church. The law is open to either of them, and it has, I believe, a remedy for either of them if anything wrong is done. And I must say, speaking here, that I can but most earnestly deprecate any association of persons who go about for the purpose of taking the law into their own hands, as they are from time to time said to do. I am astonished to find that anybody suggested that such offences as these are not already within the law, and that there is no remedy. I should have imagined that anybody consulted on the subject would have only to refer to an Act of Parliament which says that any person who shall maliciously or contemptuously pull down tables or otherwise break any altar, or spoil crucifixes or crosses in any church or chapel, may be arrested then and there, and may get three months imprisonment with hard labour. That is one of the remedies, but it is not the only remedy. I ought to mention in this view that I have received a letter to-day from a gentleman who signs himself "John Kensit." He says that from the most rev. Prelate's question he has reason to suspect that his intention is, by innuendo, to charge him and his preachers—the most rev. Prelate described them by another name—with certain acts. Mr. Kensit writes—

> "I enclose you a full account of the only act we have been guilty of. As to the cross and the large wayside crucifix which were broken at Hensall, we have nothing to do with that. My twelve Wycliffe preachers are all God-fearing men, and we are simply exposing priestly lawlessness which his Grace is openly allowing. I trust you will do me this justice."

I do not know what act of justice Mr. Kensit alludes to, but I understand he means the reading of the letter. I have now done him that justice. I am glad he disclaims the horrible and sacrilegous outrages on graveyard monuments, which were broken in pieces by a number of persons. I think I might venture to suggest to him and others that when once they begin a career of violence it is the inevitable result that others will go beyond them. I can only say in answer to the question of the most rev. prelate that I believe it to be absolutely incorrect to say that the law has no remedy for those

acts. I believe that, apart from the particular Act of Parliament which I have quoted, if the magistrates and constables will do their duty, it will be easy to put down outrages of this description, and I hope that in the future they will recognise the fact that they have the power to do it.

*THE LORD ARCHBISHOP OF YORK: I desire to express my satisfaction to the noble and learned Lord on the Woolsack for what he has said, and I can only express the hope that the noble and learned Lord's correspondent will read the proceedings of the House this afternoon.

*VISCOUNT HALIFAX: My Lords, the persons whom Mr. Kensit describes as his Wycliffe preachers, and who are supposed to be "God-fearing" men, have done me the honour to visit my parish in Yorkshire. They arrived dressed up in khaki hats, and one of them was known in the village as a disreputable tout who haunts racecourses. They went round the village followed by a large crowd, and were listened to for some little time with a kind of contemptuous patience, but when they began to abuse me my people, who have some regard for me, could bear it no longer, and they turned them out of the village. This was perhaps the best way of treating them. When they came into the village they made remarks on some crosses in the churchyard, one of which I had put up over the grave of my children, and said it would not be long before they were pulled down. We took precautions for some time to prevent any damage, but, of course, one cannot be protecting churchyards day and night. Shortly afterwards a notice appeared in a periodical for which Mr. Kensit is responsible, in which it was stated, as a matter of great congratulation, that a large cross put up by a neighbouring clergyman had been destroyed at Hensall, and that there was every reason to hope that a similar fate would befall the cross in the churchyard at Hickleton. When people threaten to destroy crosses placed in churchyards to commemorate the dead, and shortly afterwards those crosses are destroyed, it does not require any great amount of imagination to discover who are responsible for their destruction.

The Earl of Halsbury.

COPYRIGHT BILL [H.L.].

[COMMITTEE.]

Order of the Day for the House to be put into Committee, read.

*LORD MONKSWELL: My Lords, in moving that the House do resolve itself into Committee on this Bill, I would point out that this is the third session in which a comprehensive literary copyright Bill has been before a Select Committee of this House, and that the Bill is, therefore, the product of three years consideration. Witnesses have been examined this year as on former occasions, and many written suggestions have been considered, but no very serious alterations have been made in the Bill, and with one exception it is not necessary to refer to any alteration. That exception is as to abridgments. Some of the scientific societies seemed to think that the publication of their reports might be affected. The Select Committee have put in an addition to sub-section (5) of Clause 4 to the effect that fair extracts, not only when made for the purposes of a new work, or of criticism, as the clause first stood, but also in the course of reporting scientific information, shall not constitute an infringement of copyright. I hope that sub-section will remove any doubts that the scientific world may feel as to the justice of this measure, and they will see that there is no prospect of injustice to them arising out of it. When this Bill was introduced the Colonial Office suggested that this Bill, being different from that of last session, would have to be sent again to the Colonies for approval. But there is no reason, I think for doing so; there is only one clause in the Bill which affects the colonies, and that is one which they very much desire. It is intended to remedy a grievance from which Canada has suffered particularly for many years. As the law now stands, an English edition of a copyright work may be introduced into Canada to flood the market there, and to oust editions of English works that are published in Canada, but Canadians cannot introduce their copyright works into the United Kingdom. It is proposed to put the United Kingdom in precisely the same position as the colonies, and to prohibit the importation into the colonies of works copyrighted in the United Kingdom. There can be no doubt whatever that the colonies, are very strongly in favour of this Bill, and there is no reason to refer it

to them. A telegram from Ottawa published in *The Times* on 5th July states that—

"The Copyright Bill stands for Second Reading in the House of Commons. Mr. Fisher informs me that he has every reason to believe it will become law this session. The Special Committee of the House find that the legislation covered by the Bill has been asked for by the Canadian Authors' Society and Canadian publishers, and on their representation and for the interest of Canadians concerned in copyright and publication in Canada the Bill is proposed. The Committee also find that the protection to Canadian publishers to be obtained by the Bill has the approval of the Society of Authors in Great Britain and of the British public. The Committee state that heretofore there has been constant friction and clashing of interests between those interested in copyright in Great Britain and those interested in copyright in Canada. At the present time we have the very satisfactory spectacle of these formerly clashing interests expressing themselves in harmony. It therefore appears likely that the passage of this measure will remove causes of difference, will confirm the harmony now existing, and will tend to do away with that conflict which has been a constant source of trouble in copyright legislation for many years past."

I have since heard that the Bill has passed the Canadian House of Congress, and is now before the Senate, who will certainly pass it. This Bill, by enabling Canada to make a law for exclusive copyright, will obviate the raising of difficult questions between the colony and the mother country. It is not only Canada that has expressed approval of this Bill as it now stands. There was a Congress of the Chambers of Commerce of the British Empire held in London on 30th June. At that Congress it was moved by Mr. George N. Morang, and seconded by the Hon. Thomas Fergus, of New Zealand—

"Whereas the various Copyright Acts throughout the Empire are unnecessarily complicated and vexatious to certain dependencies, and whereas it is now contemplated to consolidate the same by a Bill now before the House of Lords, Resolved, therefore, that this Congress declares its approval of such measure, whereby the colonies are empowered to legislate for exclusive copyright, and earnestly trusts that it may speedily become law."

Therefore, my Lords, I scarcely think it can be possible for Her Majesty's Government to allege that they are acting in conformity with the wishes of the colonies if they do not give every facility for the passing of the Bill through Parliament this session.

House in Committee (according to Order).

The Amendments proposed by the Select Committee made.

Clauses 1 to 4 agreed to.

Clause 5 :—

LORD BURGHCLERE said he had been asked by many eminent dramatic writers to put down Amendments to Clause 5, which they feared would prejudice their interests in the performing rights of their dramatic works; but as he regarded the Bill on the whole as a very valuable measure, and should not like to injure the prospects of its passing, he would not move the Amendments; but, if necessary, would have them moved in another place.

Clause agreed to.

Remaining clauses agreed to; Standing Committee negatived; the Report of Amendments to be received To-morrow.

CREMATION BILL [H.L.].

[THIRD READING.]

Order of the Day for the Third Reading read.

Moved, "That the Bill be now read the third time."—(*Lord Monkswell.*)

LORD BELPER: I have consulted the Local Government Board on the point which was raised at the last stage by the noble Earl the Chairman of Committees.* They think that, on the whole, it is not likely that any inconvenience will arise on the point mentioned, and therefore they do not think any Amendment necessary.

THE EARL OF MORLEY: The noble Lord has shown me the Memorandum of the Local Government Board on the point, and I am perfectly satisfied with it.

On Question, agreed to. Bill read 3ª accordingly, and passed, and sent to the Commons.

House adjourned at twenty-five minutes past Seven of the clock, till To-morrow, half-past Ten of the clock.

* See page 759 of this volume.

HOUSE OF COMMONS.

Monday, 9th July, 1900.

PRIVATE BILL BUSINESS.

PRIVATE BILLS [Lords] (STANDING ORDERS NOT PREVIOUSLY INQUIRED INTO COMPLIED WITH).

Mr. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bill, originating in the Lords, and referred on the First Reading thereof, the Standing Orders not previously inquired into, and which are applicable thereto, have been complied with, viz. :—

Morley Corporation Bill [Lords].

Ordered, That the Bill be read a second time.

PROVISIONAL ORDER BILLS [Lords] (STANDING ORDERS APPLICABLE THERETO COMPLIED WITH).

Mr. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bills, originating in the Lords, and referred on the First Reading thereof, the Standing Orders which are applicable thereto have been complied with, viz. :—

Education Board Provisional Order Confirmation (London) Bill [Lords].

Tramways Orders Confirmation (No. 1) Bill [Lords].

Ordered, That the Bills be read a second time To-morrow.

PROVISIONAL ORDER BILLS (STANDING ORDERS APPLICABLE THERETO COMPLIED WITH).

Mr. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bill, referred on the First Reading thereof, the Standing Orders which are applicable thereto have been complied with, viz. :—

Electric Lighting Provisional Orders (No. 7) Bill.

Ordered, That the Bill be read a second time To-morrow.

PRIVATE BILLS [Lords] (STANDING ORDERS NOT PREVIOUSLY INQUIRED INTO NOT COMPLIED WITH).

Mr. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bill, originating in the Lords, and referred on the First Reading thereof, the Standing Orders not previously inquired into, and which are applicable thereto, have not been complied with, viz. :—

Workington Railways and Docks Bill [Lords].

Ordered, That the Report be referred to the Select Committee on Standing Orders.

MILITARY MANŒUVRES BILL [Lords] (STANDING ORDERS APPLICABLE THERETO NOT COMPLIED WITH).

Mr. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bill, originating in the Lords, and referred under an Order of the House of the 5th day of this instant July, the Standing Orders which are applicable thereto have not been complied with, viz. :—

Military Manœuvres Bill [Lords].

Ordered, That the Report be referred to the Select Committee on Standing Orders.

MOUNTAIN ASH WATER BILL [Lords].

Lords Amendments to Commons Amendments considered, and agreed to.

LATIMER ROAD AND ACTON RAILWAY BILL.

Lords Amendment considered, and agreed to.

HARTLEPOOL GAS AND WATER BILL.

Lords Amendments considered, and agreed to.

CORK ELECTRIC TRAMWAYS BILL [Lords].

Read the third time, and passed, with Amendments.

COVENTRY CORPORATION BILL.

As amended, considered.

A Clause added.

Ordered, That Standing Orders 223 and 243 be suspended, and that the Bill

be now read the third time.—(*Mr. Caldwell.*)

Bill accordingly read the third time, and passed.

DONEGAL RAILWAY BILL [Lords].

As amended, considered; to be read the third time.

EXMOUTH URBAN DISTRICT WATER BILL [Lords].

As amended, considered; Amendments made; Bill to be read the third time.

FALKIRK CORPORATION BILL [Lords].

As amended, considered; to be read the third time.

FISHGUARD AND ROSSLARE RAILWAYS AND HARBOURS BILL [Lords].

Not amended, considered; to be read the third time.

HASTINGS CORPORATION BILL.

As amended, considered.

A Clause added.

Ordered, That Standing Orders 223 and 243 be suspended, and that the Bill be now read the third time.—(*Mr. Caldwell.*)

Queen's consent signified. Bill read the third time, and passed.

RHYMNEY RAILWAY BILL [Lords].

As amended, considered; an Amendment made; Bill to be read the third time.

HAMMOND (G. H.) COMPANY BILL [Lords].

LONDON AND SAN FRANCISCO BANK BILL [Lords].

LONDON, WALTHAMSTOW AND EPPING FOREST RAILWAY (ABANDONMENT) BILL.

MANCHESTER CORPORATION TRAMWAYS BILL [Lords].

NORTH BRITISH RAILWAY BILL [Lords].

SALFORD CORPORATION BILL [Lords].

SOUTH SHIELDS CORPORATION BILL [Lords].

WITHINGTON URBAN DISTRICT COUNCIL BILL [Lords].

Read a second time, and committed.

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 12) BILL.

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 14) BILL.

LONDON (ST. LUKE) PROVISIONAL ORDER BILL.

LONDON (SOUTHWARK) PROVISIONAL ORDER BILL.

As amended, considered; to be read third time To-morrow.

EDINBURGH (HOUSING OF THE WORKING CLASSES) IMPROVEMENT SCHEME PROVISIONAL ORDER.

Bill to confirm a Provisional Order made by the Secretary for Scotland under Part I. of the Housing of the Working Classes Act, 1890, relating to the City and Royal Burgh of Edinburgh, ordered to be brought in by the Lord Advocate and Mr. Anstruther.

Ordered, That Standing Order 193A be suspended, and that the Bill be read the first time.—(*The Lord Advocate.*)

EDINBURGH (HOUSING OF THE WORKING CLASSES) IMPROVEMENT SCHEME PROVISIONAL ORDER BILL.

"To confirm a Provisional Order made by the Secretary for Scotland under Part I. of The Housing of the Working Classes Act, 1890, relating to the City and Royal Burgh of Edinburgh," presented accordingly, and read the first time; to be referred to the Examiners of Petitions for Private Bills, and to be printed. [Bill 288.]

PAISLEY WATERWORKS PROVISIONAL ORDER.

Bill to confirm a Provisional Order under The Burgh Police (Scotland) Act, 1892, relating to Paisley Waterworks, ordered to be brought in by the Lord Advocate and Mr. Anstruther.

Ordered, That Standing Order 193A be suspended, and that the Bill be read the first time.—(*The Lord Advocate*).

PAISLEY WATERWORKS PROVISIONAL ORDER BILL.

"To confirm a Provisional Order under The Burgh Police (Scotland) Act, 1892, relating to Paisley Waterworks," presented accordingly, and read the first time; to be referred to the Examiners of Petitions for Private Bills, and to be printed. [Bill 289.]

PRIVATE BILLS (GROUP J).

Colonel GUNTER reported from the Committee on Group J of Private Bills, That Major Jameson, one of the Members of the said Committee, was not present during the Sitting of the Committee this day.

Ordered, That Major Jameson do attend the Committee on Group J of Private Bills upon Wednesday next, at half-past Eleven of the clock.

Report to lie upon the Table.

THE CHAIRMAN OF COMMITTEES (Mr. J. W. LOWTHER, Cumberland, Penrith): I have to call the attention of the House to an irregularity which has been committed in one of the Private Bill Committee rooms this morning, and to ask the House to validate the proceedings of the Committee notwithstanding that irregularity. Under Standing Order 118 it is necessary, before an hon. Member can serve upon a Private Bill Committee, that he should sign a declaration to the effect that neither he nor his constituents are personally interested in the Bill coming before the Committee. When Group J met this morning, only three out of the four appointed Members were present, the fourth not being in attendance and not having signed his declaration. It then became a question for the Chairman of the Committee whether they should proceed with the Bill or not. The Standing Order says that no such Committee shall proceed to business until the declaration shall have been signed by each of the said Members, but, as all the parties were present, the Committee decided, in the general interests of the progress of the private business, to proceed. They therefore proceeded, and what I ask the House to do is to validate the proceedings, notwithstanding that the Standing Order has been broken. With regard to the future, I do not ask the House to come to any decision. All I ask is that the proceedings of this particular Committee to-day shall be made valid notwithstanding the fact that one Member who was appointed to be present had not signed the declaration when the Committee sat. I beg to move.

Ordered, That the Proceedings of the Committee, this day, on Group J of Private Bills, be deemed to be, and be, valid notwithstanding that a Member of the said Committee had failed to sign his Declaration in accordance with Standing Order 118.—(*The Chairman of Ways and Means.*)

Report to lie upon the Table.

DURHAM (COUNTY OF) ELECTRIC POWER SUPPLY BILL.

Reported from the Select Committee on Electric Power Bills, with Amendments; Report to lie upon the Table, and to be printed.

SOUTH WALES ELECTRICAL POWER DISTRIBUTION BILL.

Reported from the Select Committee on Electric Power Bills, with Amendments; Report to lie upon the Table, and to be printed.

LANCASHIRE ELECTRIC POWER BILL.

Reported from the Select Committee on Electric Power Bills, with Amendments; Report to lie upon the Table, and to be printed.

ELECTRIC POWER BILLS (SELECT COMMITTEE).

Sir ANDREW SCOBLE reported from the Select Committee on Electric Power Bills, That at the meeting of the Committee this day a letter was received from Sir James Kitson, one of the Members of the said Committee, stating that he was unable on account of urgent business to attend the Committee this day.

Report to lie upon the Table.

Sir ANDREW SCOBLE reported from the Select Committee on Electric Power Bills, That, for the convenience of parties, the Committee had adjourned till Thursday, at Three of the clock.

Report to lie upon the Table.

HEMEL HEMPSTEAD CORPORATION (WATER) BILL [Lords].

Reported, with Amendments; Report to lie upon the Table, and to be printed.

NORTH METROPOLITAN ELECTRIC POWER SUPPLY BILL.

Reported, with Amendments; Report to lie upon the Table.

PRIVATE BILLS (GROUP D).

Mr. ALEXANDER HARGREAVES BROWN reported from the Committee on Group D of Private Bills, That Mr. Murnaghan,

one of the Members of the said Committee, was not present during the sitting of the Committee this day.

Report to lie upon the Table.

MESSAGE FROM THE LORDS.

That they have agreed—to Pier and Harbour Provisional Orders (No. 1) Bill, without amendment.

That they have agreed to Amendments to—Wirral Railway Bill [Lords], East Stirlingshire Water Bill [Lords], Lincoln Corporation (Tramways) Bill [Lords], Sheffield District Railway Bill [Lords], without amendment.

That they have passed a Bill intituled, "An Act for authorising the Costa Rica Railway Company, Limited, to borrow further moneys and to make provision in reference thereto; and for other purposes." Costa Rica Railway Company, Limited, Bill [Lords].

And also a Bill intituled, "An Act to amend and extend the Memorandum of Association of the Buenos Ayres and Rosario Railway Company, Limited, with reference to the acquisition of railways; and for other purposes." Buenos Ayres and Rosario Railway Bill [Lords].

COSTA RICA RAILWAY COMPANY, LIMITED, BILL [Lords].

BUENOS AYRES AND ROSARIO RAILWAY BILL [Lords].

Read the first time; and referred to the Examiners of Petitions for Private Bills.

PETITIONS.

EDUCATION (SCOTLAND) BILL.

Petition from North Berwick, against; to lie upon the Table.

FACTORIES AND WORKSHOPS BILL.

Petition from Rochdale, for alteration; to lie upon the Table.

SALE OF INTOXICATING LIQUORS TO CHILDREN (No. 2) BILL.

Petitions in favour, from Alborough; Leamington; Guildford; Guisborough; Southend-on-Sea (eight); Grays; Thurrock; Newcastle-in-Emlyn; and Bermondsey; to lie upon the Table.

SALE OF INTOXICATING LIQUORS TO CHILDREN (SCOTLAND) BILL.

Petitions in favour, from Cornwath; Monifieth; Fraserburgh; Fearn; Longforgan; Duffus; Paisley; Mortlock; and Edinburgh; to lie upon the Table.

SUNDAY CLOSING (MONMOUTHSHIRE) BILL.

Petitions in favour, from Grays; Thurrock; Southend-on-Sea; Leamington (two); and Alborough; to lie upon the Table.

RETURNS, REPORTS, ETC.

PUBLIC RECORDS.

Copy presented, of Sixty-first Annual Report of the Deputy Keeper [by Command]; to lie upon the Table.

CRIMINAL AND JUDICIAL STATISTICS (IRELAND).

Copy presented, of Criminal and Judicial Statistics of Ireland for the year 1899. Part II. Civil Statistics [by Command]; to lie upon the Table.

FISHERY BOARD (SCOTLAND).

Copy presented, of Reports on the State of the Markets for Scottish-cured Herrings on the Continent and in the United States of America [by Command]; to lie upon the Table.

POST OFFICE SAVINGS BANKS.

Accounts presented, of all Deposits received and paid during the year ended 31st December, 1899, and of the Sums received and paid by the National Debt Commissioners on account of the Fund for the Post Office Savings Banks in the same year [by Act]; to lie upon the Table, and to be printed. [No. 262.]

TRADE REPORTS (ANNUAL SERIES).

Copies presented, of Diplomatic and Consular Reports, Annual Series, Nos. 2471 to 2473 [by Command]; to lie upon the Table.

TRADE REPORTS (MISCELLANEOUS SERIES).

Copy presented, of Diplomatic and Consular Reports, Miscellaneous Series, No. 531 [by Command]; to lie upon the Table.

EAST INDIA (INOCULATION AGAINST CHOLERA AND TYPHOID).

Return presented, relative thereto [Address 29th June; *Sir Charles Cameron*]; to lie upon the Table.

PAPER LAID UPON THE TABLE BY THE CLERK OF THE HOUSE.

Intermediate Education (Ireland). — Account of Receipts and Expenditure for 1899, with the Report of the Comptroller and Auditor General thereon [by Act] to be printed. [No. 263.]

TRAMWAYS ORDERS CONFIRMATION (No. 2) BILL.

Copy ordered, "of Memorandum stating the nature of the Proposals contained in the Provisional Orders included in the Tramways Orders Confirmation (No. 2) Bill."—(*Mr. Ritchie.*)

Copy presented accordingly; to lie upon the Table, and to be printed. [No. 264.]

QUESTIONS.

CHINA—ANTI-FOREIGN OUTBREAK—CO-OPERATION OF JAPAN IN SUPPRESSING DISTURBANCES.

SIR E. ASHMEAD-BARTLETT (Sheffield, Ecclesall): I beg to ask the Under Secretary of State for Foreign Affairs whether he can now state the reply of the Japanese Government to the request of Her Majesty's Government that Japan should undertake the relief of the Legations and the suppression of the disturbances in Northern China; and whether Her Majesty's Government have offered to guarantee Japan protection at sea, if necessary, during such a campaign.

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Mr. BRODRICK, Surrey, Guildford): The Japanese Government have stated that reinforcements, bringing up the number of their troops in China to 20,000, will be sent as rapidly as possible. One battalion and three batteries of artillery started for Ta-ku on Friday last. No application for such a guarantee as is referred to in the second question has been made by Japan, and no question of giving one has arisen.

SIR E. ASHMEAD-BARTLETT: Can the right hon. Gentleman state what day the Indian troops will arrive at Ta-ku?

MR. GIBSON BOWLES (Lynn Regis): Is there any question of financial guarantee?

MR. DALZIEL (Kirkcaldy Burghs): Can the right hon. Gentleman state the date at which the request was made?

MR. MACLEAN (Cardiff): What has been the cause of the delay in the despatch of Japanese troops?

MR. DILLON (Mayo, E.): He may not answer.

BRITISH NAVAL AND MILITARY REINFORCEMENTS FOR CHINA.

MR. JOSEPH WALTON (Yorkshire, W.R., Barnsley): I beg to ask the Under Secretary of State for Foreign Affairs whether, in view of the grave situation in China, Her Majesty's Government are arranging to further augment our naval and military forces there in addition to the increases already announced to the House.

*MR. BRODRICK: Considerable reinforcements both in men and ships are on the way, and Her Majesty's Government are quite prepared to take any action rendered necessary by the situation.

SUPPLEMENTARY ESTIMATE.

MR. DALZIEL: I beg to ask the First Lord of the Treasury whether it is intended to propose a Supplementary Estimate or a Vote on Account in connection with the expedition to China.

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): Yes, Sir; it will be necessary to take a Supplementary Vote.

LATEST NEWS FROM CHINA.

SIR H. CAMPBELL-BANNERMAN (Stirling Burghs): I beg to ask the Under Secretary for Foreign Affairs whether there is any news from China.

*MR. BRODRICK: The accounts from Peking received through native sources which have been already published, show that the resistance of the Legations to the attacks made on them have made a great impression on the assailants, and there are grounds for hoping that Prince Ching, the late head of the Tsung-li Yamen, is exercising influence to protect

the Legations against Prince Tuan and the Boxers. The reports from Tientsin show that further fighting may be expected there at any moment, but no doubt is expressed that the allied forces will maintain their position. The Japanese reinforcements are due at Ta-ku immediately, and the Indian troops will begin to arrive in China at the end of the week. Matters are at present quiet on the Yang-tsze, but further naval force is being moved up so as to be prepared for any calls for the maintenance of order.

WAR MATERIAL SUPPLIED TO CHINA FROM ENGLAND AND GERMANY.

COLONEL PILKINGTON (Lancashire, Newton): I beg to ask the Under Secretary of State for War whether he has any knowledge as to the number of guns and the quantity of ammunition which have been exported from this country to China since the war between China and Japan; and whether he has any information as to the purchases of munitions of war which China has recently been making in European countries.

*THE UNDER SECRETARY OF STATE FOR WAR (Mr. WYNDHAM, Dover): Yes, Sir. Seventy-one guns of position with 11,740 rounds of ammunition; 123 field guns with 49,400 rounds of ammunition; and 297 machine guns with 4,228,400 rounds of ammunition have been supplied to China since 1895 from firms in this country. 460,000 Mauser rifles and 3,000,000 rounds of ammunition were supplied to China last year by a German firm. I may say that the figures as to the supplies from this country are not exhaustive, because the hon. Gentleman's question related to guns.

MR. FLAVIN (Kerry, N.): Can the right hon. Gentleman say what amount of the war material this country has supplied to the South African Republics?

MR. SWIFT MACNEILL (Donegal, S.): What was the amount of ammunition and guns supplied by Birmingham firms?

[No answer was returned.]

SUNDAY PUBLICATION OF DESPATCHES AT POST OFFICES.

COLONEL MILWARD (Stratford-upon-Avon): I beg to ask the First Lord of the Admiralty whether, in view of the deep interest taken in the Chinese crisis, he will, in conjunction with the Postmaster General, issue a Sunday telegram to the post offices throughout the United Kingdom when there is important news to communicate.

THE FIRST LORD OF THE ADMIRALTY (Mr. GOSCHEN, St. George's, Hanover Square): Such an arrangement as the hon. and gallant Member suggests shall be made.

NAVAL OFFICERS QUALIFIED AS INTERPRETERS.

*SIR J. COLOMB (Great Yarmouth): I beg to ask the First Lord of the Admiralty if he will state the rank of the two officers who are qualified interpreters in Russian, of the three officers who are so qualified in French, and of the two officers qualified in German languages, now serving on Her Majesty's ships on the China Station.

MR. GOSCHEN: The rank of the officers qualified as interpreters is as follows:—In Russian, Lieutenant, R.N.; in French, Captain, Commander, Lieutenant, R.N.; in German, Surgeon, Staff Paymaster, R.N.

SOUTH AFRICAN WAR—SIR W. BUTLER AND SIR A. MILNER—PUBLICATION OF DESPATCHES.

MR. SWIFT MACNEILL: I beg to ask the First Lord of the Treasury whether the correspondence between Sir William Butler and the War Office and the Colonial Office, and the correspondence between Sir William Butler and Sir Alfred Milner before Sir William Butler's recall from the Cape command, will be included in the documents relating to public affairs in South Africa, whose publication has been promised within a fortnight from 5th July.

MR. A. J. BALFOUR: If the hon. Gentleman will look back at some full answers I gave earlier in the session, I think he will be satisfied without pressing the question further.

MR. SWIFT MACNEILL: Does the right hon. Gentleman recollect what answer he gave? That it was in the discretion of——

*MR. SPEAKER: Order, order!

MR. SWIFT MACNEILL: I beg to ask the First Lord of the Treasury whether in the publication of despatches and documents relating to political affairs in South Africa which will, according to his promise, be published within a fortnight from 5th July, will be included the minute or despatch or communication sent home by Sir William Butler, when commander of the forces in South Africa and acting governor of Cape Colony, in which he set forth his views of the military situation, of the forces required to be employed in the event of the outbreak of hostilities with the South African Republics, and the disposition which should be given to those forces.

MR. A. J. BALFOUR: This question is, of course, covered by the answer I have just given.

ROODEVAL ENGAGEMENT—CAPTURE OF THE DERBYSHIRES.

MR. SWIFT MACNEILL: I beg to ask the First Lord of the Treasury if he can state why the account, which for some time has been in the possession of the War Office, giving the details of the surrender of the 4th Battalion of the Derbyshire Regiment, has been withheld from publication. Will the right hon. Gentleman say that this is covered also by the answer he refers to?

MR. A. J. BALFOUR: Not by that answer, but by another answer I have given. I have given a general reply on the subject of despatches, and that general reply covers particular cases.

MR. SWIFT MACNEILL: Will the right hon. Gentleman give me a particular reply in reference to this?

[No answer was returned.]

MEDICAL ARRANGEMENTS AT THE FRONT—SIR W. FOSTER'S SUGGESTIONS.

SIR JAMES KITSON (Yorkshire, W.R., Colne Valley): I beg to ask the First Lord of the Treasury whether he will consent to lay upon the Table of the House a copy of the correspondence which passed between the hon. Member for Ilkeston and the War Department in relation to medical and sanitary arrangements at the Cape.

MR. A. J. BALFOUR: There is no objection to laying the correspondence on the Table.

NATAL CORRESPONDENCE ON CENSORSHIP.

CAPTAIN SINCLAIR (Forfarshire): I beg to ask the First Lord of the Treasury whether he will grant the Return relating to Natal Correspondence, which is on the Notice Paper to-day.

MR. A. J. BALFOUR: There is no objection to the Return if the hon. Gentleman asks for it.

MARTIAL LAW—COLESBERG CASES.

SIR H. CAMPBELL-BANNERMAN: I beg to ask the Secretary of State for the Colonies whether two persons, named Van der Valt and Boogsen, were recently tried and convicted by a court-martial at Colesberg, in Cape Colony. Could he state to the House with what offence or offences they were charged, what were the sentences imposed by the court-martial, and did the Attorney General of the colony report against the justice of the conviction in either or both of these cases. Have the sentences been since reduced, and by what authority and on what grounds; and can he say whether military tribunals are still taking cognisance of offences against the criminal law of the colony, notwithstanding that the ordinary courts of the country are and have for some time been open.

THE SECRETARY OF STATE FOR THE COLONIES (Mr. J. CHAMBERLAIN, Birmingham, W.): The question seems to be addressed to me under a misapprehension that there has been a difference between the civil legal authority and the military. I am not aware that there has been any such difference. The question therefore concerns the proceedings of the military authorities in a district in which, with the concurrence of the Civil Government, martial law has been proclaimed, and would more properly have been addressed to the Under Secretary of State for War. But as a matter of courtesy to the right hon. Gentleman, I have ascertained that the two persons named were tried for rebellion and sentenced to five and ten years penal servitude respectively. I understand that the sentences were afterwards reduced on the recommendation of the

Deputy Judge Advocate General, and, I assume, by the military authorities. As regards the fourth question, I am informed that military tribunals are not now taking cognisance of offences against the criminal law of the colony.

BRITISH PRISONERS RELEASED AND STILL CAPTIVE.

MR. WEIR (Ross and Cromarty): I beg to ask the Under Secretary of State for War if he will consider the expediency of arranging for the publication of a list of the names of the officers and men recently prisoners of war at Pretoria, indicating those who have rejoined their regiments and those who are in hospital; and can he arrange to publish a list of officers and men still in the hands of the Boers, giving such information as to their probable whereabouts as may be available.

*MR. WYNDHAM: Most of the names of the officers and men released at Pretoria have been published, and the remainder will be published as soon as they reach the War Office; the further information alluded to by the hon. Member has not been supplied, and would be very difficult to obtain. Lists of some of the officers and men still in the hands of the Boers, and all available information, have been published. Endeavours are being made to secure the names of the rest.

CAPE ATTORNEY GENERAL AND SIR A. MILNER.

MR. SWIFT MACNEILL: I beg to ask the Secretary of State for the Colonies whether since the gentleman filling for the time being the post of Attorney General at the Cape is, under the provisions of the Cape Constitution Act, a member of the Cape Cabinet, the Governor of the Cape is responsible to the Colonial Office for the rejection of advice offered to him on matters of law by a minister responsible for that advice to the Cape Legislature.

MR. J. CHAMBERLAIN: This is a hypothetical question, and the supposititious fact on which it is based has not, so far as I am aware, arisen.

MR. SWIFT MACNEILL: Has not Sir Alfred Milner overruled the decision of the Cape Attorney General?

MR. J. CHAMBERLAIN: I have just said that I am not aware that that has happened.

ANNEXATION OF THE TRANSVAAL IN 1877—CLAIMS UNDER SIR THEOPHILUS SHEPSTONE'S PROCLAMATION.

SIR MANCHERJEE BHOWNAGGREE (Bethnal Green, N.E.): I beg to ask the Secretary of State for the Colonies whether his attention has been called to the fact that on the annexation of the Transvaal in 1877 a proclamation was issued by Sir Theophilus Shepstone stating that all claims against the late Government would be acknowledged by Her Majesty's Government, and paid out; whether he is aware that among those whose claims were to be so recognised there were a number of volunteers who formed a border force for the protection of the frontier against the raids of the Chief Sekukuni, and who were promised, in lieu of the unpaid balance of their allowances, a farm of 4,000 morgen north and north-west of the Zulu mountains; and whether he will take the matter now into his consideration with the view of giving effect to the pledges conveyed by the proclamation, as the claims in question have never been granted.

MR. J. CHAMBERLAIN: The proclamation of Sir Theophilus Shepstone of 12th April, 1877, contained a general promise of this character. I regret that I have not been able yet to trace the detailed records of these claims, and I am not therefore in a position to express any opinion. The claims were regarded as settled in 1877, according to the Report published in Parliamentary Paper C. 2144, page 378.

TREATMENT OF DISCHARGED SOLDIERS—CASE OF PRIVATE WEIR.

MR. PATRICK O'BRIEN (Kilkenny): I beg to ask the Under Secretary of State for War whether the War Office has received a letter from the Enniskillen Board of Guardians complaining that Private R. Weir, of the 27th Inniskilling Fusiliers, who was engaged at the front in South Africa, has been sent home disabled for life, and is now in Enniskillen workhouse and chargeable on the rates for the rest of his life; and whether it is proposed to give Weir a pension to enable him to support himself.

The following questions on the same subject also appeared on the Paper :—

MR. SWIFT MACNEILL : To ask the Under Secretary of State for War what explanation has the War Office to give for the removal from Netley Hospital of Private Robert Weir, of the 27th Inniskilling Fusiliers, who had served with his regiment all through the Natal campaign, and was sent home in an enfeebled state of body and mind, and of the deportation of this soldier, who is without a pension and has received no gratuity, to the workhouse at Enniskillen, where he is at present a pauper inmate.

MR. CHANNING (Northamptonshire, E.) : To ask the Under Secretary of State for War whether the attention of the War Office has been called to the transfer of Private R. Weir, 27th Inniskilling Fusiliers, wounded in South Africa, from Netley Hospital to the Enniskillen work house ; whether this has been done under the order or regulations of the War Office ; and whether the War Office will take steps to make a more suitable provision for wounded and disabled soldiers, either by special vote for this purpose or by arranging for the application of part of the Mansion House or other funds for the relief of such cases.

MR. CHANNING : Before the hon. Gentleman replies may I ask his attention to the practical suggestions in my question ?

*MR. WYNDHAM : Perhaps the most convenient course will be to answer the three questions together.

MR. SWIFT MACNEILL : No. I will ask the hon. Gentleman to answer mine separately.

*MR. WYNDHAM : The man referred to is evidently Private Robert Weir, of the Royal Irish Fusiliers, who was invalided home from South Africa as a lunatic. It was certified by the medical officer who examined Weir that his madness was not the result of Army service ; and therefore under the regulations no pension can be given to him. His friends were unable to receive him, and in accordance with the Army Act he was handed over to his parish authorities, who are alone responsible for his treatment.

MR. JAMES O'CONNOR (Wicklow, W.) : How long was this private in the Army ? Did the doctor pass him as sane when he enlisted ?

*MR. WYNDHAM : If the hon. Member means did the doctor pass him as sane on coming back from the Reserve, it is, I confess, a matter which requires investigation. Lunacy, I may point out, is occasionally intermittent, and a man may be subject to recurring fits at any moment.

MR. PATRICK O'BRIEN : Could not a sum of money be voted from public funds for the relief of this man ?

*MR. WYNDHAM : I do not think the hon. Member quite sees the point. When a man, whether or not he be in the Army, is a lunatic he has to be put under proper supervision in some asylum. If that man is in possession of a pension from the Chelsea Hospital Commissioners, a portion is diverted to the funds of the asylum. When he has none, of course there is no money to go to the asylum.

MR. PATRICK O'BRIEN : Cannot the ratepayers of this particular union be relieved of the liability for his support by a grant of money from one of the many War Funds ?

*MR. WYNDHAM : That depends upon whether the lunacy is attributable to service in the Army. If it is decided it is not, as in this case, then no pension can be granted, and the charge falls on the parish.

MR. SWIFT MACNEILL : Is it a fact that this man was wounded in the war, and is at present a pauper inmate of a lunatic asylum ?

CAPTAIN DONELAN (Cork, E.) : Was he medically inspected before he embarked for South Africa ?

*MR. WYNDHAM : Yes, Sir. I may add that he was not wounded. The hon. Gentleman is under a misapprehension as to that.

MR. SWIFT MACNEILL : Has the War Office not received a protest from the board of guardians in reference to this man being a charge on the rates ?

*MR. SPEAKER: The hon. Member is proceeding to argue the question, which, as it appears on the Paper, has been fully answered. If he wishes to put a further question he can give notice of it.

MR. PATRICK O'BRIEN: The first paragraph of my question has never been answered.

*MR. WYNDHAM: I am not aware that a protest has been received; but it would not touch the facts of the question. The Chelsea Hospital Commissioners have power to give money in certain cases, but this is not one which comes within the category of cases to which they are permitted to vote money.

BOER EXPEDITION, 1884-5—MEDALS.

COLONEL WYNDHAM MURRAY (Bath): I beg to ask the Under Secretary of State for War whether, in view of the fact that medals have recently been given to the survivors of those who took part in the expedition against raiders into Canada in 1866, also in the Red River Expedition in 1870, as well as those of more recent date, such as the late expedition in Ashanti, the Government will consider the claim of those troops who took part in the expedition in 1884-5 against the Boers who raided from the Transvaal into Bechuanaland, for which successful operations, in which many South African troops were engaged, no medal or decoration or special recognition of their services was given to the troops.

*MR. WYNDHAM: The operations, though successful, were not of a nature to justify the grant of a medal or decoration.

COLONEL WYNDHAM MURRAY: May I ask the reason?

*MR. WYNDHAM: Shortly, it is that there were no really active operations.

VOLUNTEER DEPUTY ASSISTANT ADJUTANT GENERAL.

MR. LEES KNOWLES (Salford, W.): I beg to ask the Under Secretary of State for War whether an adjutant of a metropolitan corps has been appointed Deputy Assistant Adjutant General for Volunteers at the War Office; if so, what are his special qualifications for the appointment; and what has been his connection, if any, with provincial Volunteer corps, which form a large proportion of the Volunteer force.

*MR. WYNDHAM: Captain Engleheart, Royal Welsh Fusiliers, has been selected for this appointment. Past service as an adjutant of an important Volunteer corps was regarded as a necessary qualification for the position. The officer selected has filled that position for four years in one of the largest and most efficient corps in the metropolis. The Secretary of State has full confidence in the selection he has been advised to make. I may add that Volunteer officers of all corps have free access to General Turner, the Inspector General of Auxiliary Forces at the War Office.

ARMY CONTRACTORS AND MILITIA AND VOLUNTEER CONTRACTS.

MR. HENNIKER HEATON (Canterbury): I beg to ask the Financial Secretary to the War Office whether he is aware that after certain contractors' names had been struck off the list, commanding officers of Militia and Volunteer regiments have written letters to these contractors stating that they would continue to employ them, the contractors, in supplying clothing; and whether immediate and suitable action will be taken by the Government in such cases.

*THE FINANCIAL SECRETARY TO THE WAR OFFICE (Mr. J. POWELL-WILLIAMS, Birmingham, S.): The Secretary of State has no knowledge of any such letters as are referred to in the question. Militia clothing is supplied from the Government stores. Officers commanding Volunteer regiments have been made aware that the name of Messrs. Samuel Brothers has been struck off the list of firms with whom the War Office is willing to have dealings. The responsibility of obtaining proper and serviceable supplies, however, is with those officers, and the Secretary of State would not willingly interfere with their discretion in the matter. At the same time he does not consider it advisable that supplies for Volunteers should be obtained from firms who have been removed by the War Office from its list of contractors on account of the very bad quality of the articles delivered.

*Mr. JAMES LOWTHER (Kent, Thanet): Am I to understand that the Secretary of State does not intend to give effect to his own decision, and that these commanding officers are to be allowed to employ these contractors?

*Mr. J. POWELL-WILLIAMS: I have stated that the discretion in the matter is with the commanding officers, and the Secretary of State will not willingly interfere with their discretion.

*Mr. JAMES LOWTHER: Will he do so unwillingly?

*Mr. J. POWELL-WILLIAMS: We trust that the commanding officers will observe the opinion which is expressed in answer to the question.

*Mr. JAMES LOWTHER: Will the list be published of those commanding officers who disregard it?

Mr. FLAVIN (Kerry, N.): Can the hon. Gentleman say whether the Messrs. Samuel mentioned are the firm who sold boots made out of newspapers?

Mr. HENNIKER HEATON: Is it not a fact that Lord Wolseley has been handed a list of letters from commanding officers declining to obey the War Office?

Mr. GIBSON BOWLES: May I put a relevant question? May I ask whether it is not the fact that these commanding officers expend public money, and has not the War Office control over them?

*Mr. SPEAKER: The hon. Member is arguing on the answer. The question on the Paper has been fully answered.

NAVAL TRAINING SHIPS—THE SCOTTISH COAST.

Mr. HEDDERWICK (Wick Burghs): I beg to ask the First Lord of the Admiralty whether, in view of the strong local feeling recently expressed in favour of the establishment of a naval training ship at a suitable station upon the west coast of Scotland, and to the fact that the nearest available training ship station at present is Queensferry, he will consider whether he can spare at least some inexpensive vessel which would serve as a training ship for youths of hardy physique and inured by the habits and circumstances of their lives to seafaring.

Mr. GOSCHEN: I can only repeat what I have frequently said in reply to the questions of hon. Members, that there is no intention of adding to the number of training ships for the Navy. The present number is such as the Naval Service requires. There is no such thing as an inexpensive training ship. It involves considerable establishment expenses both ashore and afloat.

NAVAL COURTS-MARTIAL.

Mr. H. D. GREENE (Shrewsbury): I beg to ask the First Lord of the Admiralty whether the Criminal Evidence Act has been applied to courts-martial under the Naval Discipline Act, so as to enable sailors charged with offences to give evidence in their own defence, or whether it is intended to withhold from Her Majesty's Naval Forces this privilege which has been extended to civilians and soldiers since 1898.

Mr. GOSCHEN: There has been a great objection to change well-established custom in the proceedings of Naval courts-martial. No steps have yet been taken to apply to them the rules of the Criminal Evidence Act, but I will consult my Naval colleagues on the subject.

LINOLEUM FOR THE NAVY.

Mr. DALZIEL: I beg to ask the Secretary to the Admiralty whether he is now able to say if a higher standard of linoleum will be adopted for use on Her Majesty's fleet; and whether precautions will be taken to ensure that in each case the quality supplied is equal to the sample submitted.

The SECRETARY TO THE ADMIRALTY (Mr. MACARTNEY, Antrim, N.): No complaints have recently been received as to the description or quality of linoleum received, and there is no reason to suppose that the quality supplied is not equal to the sample submitted. I may add that orders have been given for trials to be made of a thicker quality of linoleum, and it will depend on the results whether or no such a quality should be adopted.

PARIS EXHIBITION—BRITISH SECTION.

Mr. WEIR: I beg to ask the Under Secretary of State for Foreign Affairs, in view of the fact that £125,000 has been granted by Parliament in aid of expenses

for the British section of the Paris Exhibition, is he aware that the Manor House, in the Rue des Nations of the Exhibition, is only open for a few hours during the day, and that visitors have to be provided with a special ticket; and will he use his influence with the authorities, so that the general public may be able to obtain ready access to the Manor House during the hours similar buildings are open to the public.

*MR. BRODRICK: The matter is not one that falls within the province of the Foreign Office. Questions of organisation in connection with the British section of the Paris Exhibition are under the control of Colonel Jekyll, C.M.G., the secretary to the Royal Commission.

GAMBLING IN FUTURES IN GRAIN.

MR. FIELD (Dublin, St. Patrick's): I beg to ask the President of the Board of Trade whether, in view of the recent report from Germany showing how the law against gambling in futures in grain has operated, the Board of Trade will consider the advisability of introducing similar regulations regarding options in food supplies in this country.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. RITCHIE, Croydon): There is no intention to introduce legislation of the kind referred to in the hon. Member's question.

THE SCARCITY OF SPRATS.

MR. GIBSON BOWLES: I beg to ask the President of the Board of Trade, is he aware that there has been a scarcity of sprats in the seas adjacent to the United Kingdom during the last ten years, and can he state what is the cause of this scarcity; and if not, will he take steps to inquire into its cause, or will he, without inquiry, introduce legislation tending to bring the scarcity to an end.

MR. RITCHIE: The returns of the quantities of sprats taken from year to year show great fluctuations, owing to many causes, including the state of the weather, but the returns before 1890 are not sufficiently complete to enable me to compare the last ten years with the previous ten years. The average annual quantity for the five years ending 1899 is in excess of that for the previous five years. I have no reason to think that an inquiry would lead to any useful result or that legislation on the subject is desirable.

MR. JAMES LOWTHER: Will the right hon. Gentleman refer this matter to the Undersized Fish Bill Committee?

MR. GIBSON BOWLES: The right hon. Gentleman has failed to answer the part of my question as to the cause of the scarcity. He must know what the cause is.

MR. RITCHIE: The hon. Member is quite as likely to know as I am.

MR. FLYNN (Cork, N.): Is it due to the fact that large quantities of "sardines" are consumed in this country?

THE TRUCK ACT—POSITION OF FEMALE WORKERS.

*SIR CHARLES DILKE (Gloucestershire, Forest of Dean): I beg to ask the Secretary of State for the Home Department what steps can be taken in reference to a case heard in the Queen's Bench Division at Dublin, last week, in which it was held that a woman sock-maker was not a workman under the Truck Act; whether, by this judgment, the view uniformly taken by the Home Office is reversed; whether the judgment will have effect in England or Scotland; and if he will consider whether the Irish decision goes beyond the Truck Acts, and affects the definitions in the Factory and Workshop Acts.

*THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Sir M. WHITE RIDLEY, Lancashire, Blackpool): The Court of Queen's Bench Division in Ireland, I am informed, decided the case referred to on the ground that knitting was not manual labour within the meaning of the Truck Act of 1887. If this is so, it is contrary to the view upon which the Truck Acts have hitherto been administered, without any similar question, so far as I know, being raised in any court. It would also have a very serious effect upon the administration of the Factory Acts in which similar language is used. I regard the question as so serious that I propose to consult at once with the Law Officers of the Crown as to the effect and extent of the decision of the Irish Court, and as to the proper steps to be taken to secure the effective administration of the Truck and Factory Acts.

PROSECUTIONS BY FACTORY INSPECTORS IN IRELAND.

MR. T. D. SULLIVAN (Donegal, W.): I beg to ask the Secretary of State for the Home Department whether, by direction of the Home Office, female factory inspectors have been sent to Donegal on several occasions, and have instituted legal proceedings against employers in poor districts, where, until local industry was started, emigration was the only resource of the population; what has been the result of those prosecutions, and what expense have they and the visits of the female inspectors entailed on the State; is he aware that, after the dismissal of a recent prosecution under the Truck Act, the Government obtained a mandamus to compel the magistrates to state a case, and the resident magistrate, Mr. Gaussen, B.L., put it in his pocket and took it away to a town thirty miles off, and wrote from thence a letter refusing to return the writ to his brother justices; is he aware that when the majority of the magistrates were thus disabled from complying with the Queen's writ, the Crown solicitor, without informing the High Court of the facts, applied for a writ of attachment against the magistrates for alleged contempt; and that the magistrates were obliged to show cause at great expense to themselves, two of them, Major Johnson and Mr. Boyle, proceeding to Dublin to instruct counsel; is he aware that the Lord Chief Baron, in delivering the unanimous judgment of the Queen's Bench refusing the attachment, declared that he was shocked at the conduct of the Crown solicitor, and expressed regret that the law did not allow costs to be awarded to the justices; and that the High Court subsequently decided that the majority of the magistrates were right in dismissing the prosecution under the Truck Act, and awarded costs to the defendant therein; and will the justices, whose personal conduct and legal decision have now been vindicated, be recouped their outlay in resisting the Conditional Order for attachment.

*SIR M. WHITE RIDLEY: The hon. Member's question contains suggestions which I cannot accept as an accurate representation of the facts of the cases referred to. But it is true that, owing to the existence of grave abuses on the part of employers in some parts of Donegal, it has been found necessary to take proceedings for the protection of the women who work for them. In some of the cases taken, convictions were obtained and fines imposed. The expenses involved are part of the ordinary cost of the Factory Department. In the case particularly referred to by the hon. Member, the Court did not decide that the magistrates were right in their reasons for dismissing the case; in fact, they said they were wrong, and the ground upon which the Court dismissed the appeal was an entirely different point of law, which I have already explained in the answer which I have just given to the right hon. Baronet. As to that part of the question which relates to the action of the resident magistrate, the Crown solicitor, and the justices, I must refer the hon. Member to the Irish Government.

LAW COURTS—PROPOSED NEW BUILDINGS.

LORD BALCARRES (Lancashire, Chorley): I beg to ask the First Commissioner of Works if he will state the nature of the buildings which it is proposed to erect on the open space to the west of the Law Courts; and whether, considering the æsthetic and hygienic value of this open space, which was laid out at the expense of the late Mr. William Henry Smith, any scheme to erect the proposed building elsewhere could be favourably considered.

THE FIRST COMMISSIONER OF WORKS (Mr. AKERS DOUGLAS, Kent, St. Augustine's): The buildings to be erected on the vacant site to the west of the Law Courts are four new courts and their adjuncts, which will form part of the Royal Courts of Justice, and must be in structural communication therewith. The extension will occupy about one-sixth of the area of vacant ground which was temporarily laid out as a garden by the generosity of Mr. Smith, but was acquired and always intended for an extension of the courts when needed. As the essential object in view in the erection of the Royal Courts of Justice was the concentration of the legal business of the country, the Government could not view favourably my noble friend's suggestion to erect additional courts elsewhere.

HIGH WYCOMBE POST OFFICE.

MR. HENNIKER HEATON: I beg to ask the Secretary to the Treasury, as

representing the Postmaster General, whether his attention has been called to the negotiations that have been proceeding between the Post Office and the authorities of High Wycombe regarding the erection of the new post office in a convenient position; and whether, seeing that the said authorities agreed to relieve the Post Office of the selected site called Flint House, and subsequently agreed to further conditions required by the Post Office which involved a local contribution of upwards of £1,200, the Postmaster General will reconsider the proposal now made to the High Wycombe authorities, calling on them to obtain the extension of the lease of the present premises, and will proceed with the erection of the new post office on the site chosen without delay.

THE FINANCIAL SECRETARY TO THE TREASURY (Mr. HANBURY, Preston): The attention of the Postmaster General has been called to the representations made by those who desire that the new post office in High Wycombe should be placed not at Flint House as authorised, but in a new street which it is proposed to form; but after giving the fullest consideration to the matter, he has decided to proceed with the Flint House scheme. Apart from other considerations it now appears that while the new street cannot be formed for some time, the tenancy of the present post office, which expires at Michaelmas next, cannot be extended, as it was understood it would be.

IRISH LANGUAGE IN IRISH NATIONAL SCHOOLS.

SIR THOMAS ESMONDE (Kerry, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he will state what arrangements are to be made for the study of the Irish language in Irish National schools, and especially in the Irish-speaking districts.

MR. FLAVIN: At the same time, may I ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that dissatisfaction exists in certain districts in Ireland owing to the discrepancies which exist in results in National schools between the years 1898 and 1899; and whether, owing to the alleged grievances of National school teachers, he will consider the advisability of consulting with them as to the fairness of taking an average, as a means of ascertaining their future salaries, of the years 1897, 1898, and 1899?

THE CHIEF SECRETARY FOR IRELAND (Mr. G. W. BALFOUR, Leeds, Central): This question has been referred to the Board of National Education, and I am informed that a statement to enable me to reply to it cannot be sent until after their meeting on the 17th instant.

MR. FLYNN: Will the teachers be consulted before the Board of Education come to a decision on the subject?

[No answer was returned.]

DUBLIN NATIONAL MUSEUM—THE MIAS TIERNAN.

SIR THOMAS ESMONDE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he will make inquiry as to the possibility of procuring for the National Museum in Dublin the Mias Tiernan, now in the custody of the Accountant General for Ireland in the matter of the Knox Estate.

MR. G. W. BALFOUR: I understand that the historical relic referred to in the question is claimed by the executors of the late Dr. Knox, whose estate is being administered in the Chancery Division of the High Court, to be part of the assets of the testator. The relic is in the custody of the Accountant General pursuant to an order of the judge, who has not, so far, made an order for its sale.

IRISH LOCAL GOVERNMENT OFFICIALS—SALARIES.

SIR THOMAS ESMONDE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what steps the Government intend to take with reference to the increases in the salaries of certain county council officials in Ireland made by the Irish Local Government Board, and which several Irish county councils have refused to pay on the grounds that the salaries as increased are too high and that the views of the county councils in relation to these increases have not been properly consulted by the Local Government Board; and will he also say what steps are to be taken with reference to the qualifications for deputy county surveyor, fixed by the Local Government Board, to which exception has been taken.

MR. G. W. BALFOUR: In every case where the county council decline to pay their existing officers the amount of the allowance determined by the Local Government Board under Section 115, Sub-section 18, of the Act of 1898 for their increased work under the Act, the Board intend to make special Orders under seal in order to enable these officers to recover in a court of law the sums to which they are entitled under the provisions of the Act referred to. It is quite incorrect to say that the councils were not consulted with reference to these increases, and this assertion is chiefly put forward by certain councils who took no steps to come to an agreement with their officers on receipt of the Board's letters inviting their views. I may observe that the salaries for new assistant surveyors which have been fixed by the councils themselves since the passing of the Act have, in many cases, been equal to the scale fixed by the Board. The qualifications fixed for assistant surveyors have, I understand, been generally approved of. So far only one objection has been received. One examination has been held, at which nine elected assistant surveyors were examined, with the result that seven were certified to possess the prescribed qualifications and two were rejected.

MR. FLYNN: In case of any difference of opinion with regard to salaries between a county council and the Irish Local Government Board, has the latter an absolute right to fix the salary?

MR. G. W. BALFOUR: It is not merely a right. The duty is imposed on them.

MR. FLAVIN: Can they fix any salary they please?

MR. G. W. BALFOUR: This matter was discussed for several hours on the Vote for the Local Government Board, and I really cannot re-open it.

MR. DILLON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Local Government Board have addressed a letter to the South Tipperary County Council stating that they had received a letter from Mr. Higgins, solicitor for Mr. Haskett, the late surveyor of South Tipperary, stating that his client had been obliged to take proceedings against the council for the balance of his salary, at the rate of £800 a year, and that, to enable Mr. Haskett to succeed in his action they (the Local Government Board) had issued a special sealed Order; and will he state who fixed Mr. Haskett's salary at £800 a year; was this salary approved of by the council; and what is the nature of the special sealed Order issued in support of Mr. Haskett's action.

MR. G. W. BALFOUR: Mr. Haskett is still the county surveyor. The county council proposed to grant Mr. Haskett an addition of £100 a year to his salary of £600, in respect of his increase of duties. The county surveyor, not agreeing to this proposal, appealed under Section 115, Sub-section 18, of the Act of 1898 to the Local Government Board to determine the increase to be allowed to him, claiming an addition of £450 a year to his salary. After careful consideration of the additional duties to be performed by him, and of the proposal of the county council, the Board decided that the county surveyor was entitled to an addition of £200 a year to his salary, making a total salary of £800 a year, and they informed the council accordingly. The council, however, declined to pay more than the sum proposed by them, namely, £700 a year, and the county surveyor applied to the Board, through his solicitor, for an Order under seal to enable him to recover the amount due to him according to the Board's decision, and the Board have complied with his request.

MR. DILLON: What was the nature of the special sealed Order? Will the right hon. Gentleman lay a copy of it on the Table?

MR. G. W. BALFOUR: I do not know that there is any objection to doing it. It is a simple Order fixing the salary.

IRISH LOCAL GOVERNMENT BODIES—PROSECUTION FOR VOTING WHEN DISQUALIFIED.

MR. DILLON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will grant a Return giving the names of persons convicted, since the Local Government (Ireland) Act came into operation, of having acted or

voted as members of county or district councils or boards of guardians when disqualified under the orders issued by virtue of the Act, showing the names of the prosecutors, the number of offences alleged against each defendant in the summons, the amount of the fine or penalty inflicted for each offence, and the date of the conviction by the court of summary jurisdiction.

MR. G. W. BALFOUR: There is no official record of the prosecutions referred to, but the information could, of course, be obtained from the clerks of petty sessions. If the hon. Member so desires I will have the Return put in hand, and will forward it to him when completed.

DOWNPATRICK DISTURBANCES.

MR. WILLIAM JOHNSTON (Belfast, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he has received a sworn statement from Downpatrick supporting the allegations made, in the letter of the Deputy District Master of Lecale, concerning the action of the police on the 5th June; and what action is proposed to be taken to ascertain the circumstances of the case.

MR. G. W. BALFOUR: I have received the document referred to in the first paragraph. It has been brought under the notice of the Constabulary authorities, who adhere to the accuracy of the statement already made by me that the Orangemen have not been in the habit of returning through Irish Street. I may mention that the county inspector convened a meeting of the magistrates to discuss the propriety of allowing processionists to march through the street in question, and they are unanimously of opinion that permission should not be given. I have already stated that prosecutions are pending against a number of persons for assaults on the police arising out of the disturbances in Downpatrick on the 5th June, and that all the facts will doubtless be fully investigated by the magistrates.

*MR. T. D. SULLIVAN: Who and what is the Deputy District Master of Lecale? Is it an official title?

[No answer was given.]

ROYAL IRISH CONSTABULARY REGULATIONS.

MR. MACALEESE (Monaghan, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland can he state the degree of relationship laid down by the Code within which members of the Royal Irish Constabulary may not perform duties in towns or districts where they have friends residing; and will cases brought to his notice where the provision of the Code has been ignored have his attention.

MR. G. W. BALFOUR: There is no fixed rule laid down in the Code with respect to the degree of relationship. In answer to the second paragraph, if any specific case is brought under notice it will be carefully inquired into by the Inspector General.

REPAIR OF IRISH ROADS.

CAPTAIN DONELAN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will consider the desirability of inserting a clause in the Local Government (Ireland) Act Amendment Bill with a view to empower councils to undertake the maintenance and repair of roads by means of direct labour, as provided in the English Local Government Act.

MR. G. W. BALFOUR: The object of the hon. and gallant Member could be accomplished, if thought desirable, by means of a Provisional Order under the Local Government (Ireland) (No. 2) Bill now awaiting Second Reading.

CAPTAIN DONELAN: Will steps be taken in that direction?

MR. G. W. BALFOUR: I am not prepared to answer that.

CONGESTED DISTRICTS IN KERRY.

MR. FLAVIN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, whether he can state the amount of money which has been spent by the Congested Districts Board in the county of Kerry for each of the years 1897, 1898, and 1899, and also say in what particular districts of Kerry during the years mentioned the money was spent, giving the amount so spent for each district or place in the county.

MR. G. W. BALFOUR: The Congested Districts Board have no record showing the total sum expended in each of the congested districts. The preparation of such a Return would entail

a considerable amount of trouble, and would not, in my opinion, serve any useful purpose. The annual reports presented to Parliament give a great deal of information as to the several localities where the Board's operations have been carried on during the period referred to.

MR. FLAVIN: Cannot the right hon. Gentleman give the gross amount for each of the years named?

MR. G. W. BALFOUR: I see no object to be served by doing so.

BELFAST WATER SUPPLY.

MR. MACALEESE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the Belfast Water Commissioners obtained powers from Parliament to take certain lands in the townland of Oldpark, parish of Shankhill, county Antrim, and served the requisite notices on owners and occupiers of land in 1896, and that Mr. Ryan, the arbitrator, held his first court in 1899, but has not yet made his final award; whether he is aware that Mr. Ryan in one case awarded £2,000 more than the owner of the property claimed, and that in other cases his awards were below the value of the lands as sworn to by the Water Commissioners' valuers; and whether he is aware that in consequence of the delay in the publication of the final awards the owners and occupiers have suffered loss, as they have been obliged to pay the rent of their holdings, and debarred from developing or disposing of their lands, and can he state how the appointment of Mr. Ryan as arbitrator was made, and when the final award will be delivered.

MR. G. W. BALFOUR: I understand the facts are as stated in the first paragraph. The Board of Public Works have no knowledge as to the matters alleged in the second paragraph. If the parties are aggrieved at the award of the arbitrator it is open to them to enter a traverse at the assizes. Nor have the Board any information as to the matters referred to in the first part of the last paragraph. The appointment of the arbitrator was made by the Board of Public Works. In the case under the Belfast Water Act of 1897, in which the arbitrator was appointed in February, 1899, it is understood that his final award is in print, and will be lodged in the course of a week or two. In the case under the Act of last year it cannot be stated when the final award will be delivered.

MONAGHAN PETTY SESSIONS APPEALS.

MR. MACALEESE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he is aware that at a recent Petty Sessions Court in Monaghan two men named M'Guigan and Hughes were convicted of a police offence and sent to Armagh Gaol for nine months and five months respectively, and that several magistrates, not in the habit of attending the Monaghan Petty Sessions, appeared on the bench on this occasion and adjudicated upon the trial of these men; is he aware that, after being placed in Armagh Gaol, M'Guigan and Hughes lodged an appeal against their conviction and sentence, and gave the necessary bail for its prosecution; and that when they appeared at the Monaghan Quarter Sessions, the County Court Judge, at the instance of the Crown, refused them the right of appeal, and sent them back to gaol to complete their sentence; and will he either secure that these men be granted the right of appeal, or take steps to have their punishment reduced.

MR. G. W. BALFOUR: I am informed that all the justices who attended the Monaghan Petty Sessions at which the convictions mentioned in the first paragraph were obtained, are in the habit of attending the sessions, except one gentleman who was present for the first time since his appointment to the Commission a few days previously. Under the Petty Sessions Act, an appellant is bound to give seven days notice of his intention to appeal, but this the defendants in the present case failed to do, giving only three days notice, and the Judge held that the appeal was not properly before him. If the defendants feel aggrieved by the decision of the Judge, it is open to them to have that decision reviewed by the Court of Queen's Bench.

BUSINESS OF THE HOUSE.

SIR H. CAMPBELL-BANNERMAN: I beg to ask the First Lord of the Treasury whether he can now make a statement of the intentions of the Government as to the legislative business of the

remaining weeks of the session; and, if not, when he will be in a position to make such a statement.

MR. A. J. BALFOUR: I think it would be premature now to answer the question of the right hon. Gentleman. If he will kindly put it down for Monday next, I hope then to be able to make a full statement.

MR. DILLON: Will the right hon. Gentleman meantime take into consideration the view expressed in the House of Lords on Friday as to the desirability of withdrawing the Tithe Rent-charge (Ireland) Bill, and devoting the time to some more useful purpose?

SIR H. CAMPBELL-BANNERMAN: What Estimates will be taken on Friday next, and what will be the course of business till then?

MR. A. J. BALFOUR: I suppose we shall finish the Committee stage of the Irish Tithes Bill to-night, and I shall then propose to proceed with the Agricultural Holdings Bill of my right hon. friend. I hope to take the Navy Estimates on Friday. The First Lord of the Admiralty, however, informs me that it is very important that a Memorandum which he has prepared on the subject of water-tube boilers should be in the hands of Members before those Estimates can well be discussed, and there appears to be a slight doubt as to whether it will be possible to circulate that Memorandum in time. But, if possible, it is most desirable to take the Navy Estimates on Friday.

SIR CHARLES DILKE: If you do not, what Vote will be taken?

MR. A. J. BALFOUR: Failing the Navy Estimates, the Home Office Vote will be taken.

MR. DILLON: Up to what hour to-morrow morning does the right hon. Gentleman propose to keep the House sitting?

MR. A. J. BALFOUR: That depends on hon. Gentlemen opposite.

NATAL CORRESPONDENCE.

Address for "a Return of Correspondence, recently published in the *Natal Witness*, containing minutes from the Prime Minister and Governor of Natal and Generals Buller and Murray, respecting the Censorship in that Colony of letters and telegrams."—(*Captain Sinclair.*)

NEW WRIT.

For the County of Wilts (Southern or Wilton Division), in the room of the Hon. Jacob Pleydell-Bouverie, commonly called Viscount Folkestone, now Earl of Radnor, called up to the House of Peers.—(*Sir William Walrond.*)

ROYAL ASSENT.

Message to attend the Lords Commissioners;

The House went; and, being returned,

MR. SPEAKER reported the Royal Assent to—

Commonwealth of Australia Constitution Act, 1900.

DIOCESAN RECORDS BILL [Lords].

Read the first time; to be read a second time upon Thursday, and to be printed. [Bill 290.]

MESSAGE FROM THE LORDS.

That they have agreed to—Burial Grounds Bill; District Councillors and Guardians (Term of Office) Bill, without Amendment.

COUNTY AND DISTRICT SURVEYORS (WEXFORD) — ACTION OF IRISH LOCAL GOVERNMENT BOARD.

[MOTION FOR ADJOURNMENT.]

*SIR THOMAS ESMONDE (Kerry, West Division) rose in his place, and asked leave to move the Adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely, "the recent action of the Local Government Board for Ireland in raising the salaries and qualifications of the county and district surveyors in county Wexford, and in endeavouring to enforce the payment of these increased salaries as from to-morrow, by sealed order, notwithstanding the protests of the county council.

THE CHIEF SECRETARY FOR IRELAND (Mr. G. W. BALFOUR, Leeds, Central): As a question of order, may I

ask whether this can be a matter of urgent public importance, seeing that the question was fully discussed on the Vote for the Irish Local Government Board more than a month ago? † I do not see how, under the circumstances, it can properly be regarded as urgent.

*SIR THOMAS ESMONDE: The sealed Order is to come in force to-morrow.

*MR. SPEAKER: Theoretically and in fact I have no knowledge of what was said in Committee of Supply.

*SIR THOMAS ESMONDE: The Government are attempting to coerce the Irish county councils by means of a sealed Order.

*MR. SPEAKER: I do not think I can take upon myself to rule that the motion cannot be moved.

MR. SPEAKER then called on those Members who supported the motion to rise in their places, and not less than forty Members having accordingly risen—

*SIR THOMAS ESMONDE: I have to thank hon. Members who have been good enough to give me their support in this matter, and at the same time I wish to express my regret at having to deal with this question in this particular way. But under existing Parliamentary conditions it is absolutely impossible for Irish Members to deal with important Irish questions as they arise. It is quite impossible to deal with important Irish matters in the two or three days allotted to Irish Estimates. If I must put the House to inconvenience on this occasion hon. Members must blame the system under which Irish affairs are managed in England, and I hope, therefore, I shall not be blamed for standing between the House and the more interesting debates on the Tithes Bill. The Chief Secretary for Ireland, in answer to several questions addressed to him to-day, gave the House the views of the Irish Local Government Board on the situation which has arisen in Ireland with regard to the action of that Board towards the Irish county councils in increasing the salaries of the county officials. Listening to the answers of the right hon. Gentleman I could not help thinking how utterly he failed to realise the very serious position which has been created in Ireland within the last few weeks. The action of the Local Government Board in raising the salary of certain county council officials has given great dissatisfaction not only to members of county councils, but also to the constituencies they represent, and the ratepayers at large have not hesitated to express to their county councils the extreme dissatisfaction with which they view the rapid increase of rates all over the country. I am chairman of a county council, a district council, and a board of guardians, and during the last twelve months the expenditure of each of those bodies has considerably increased, the increase being mainly due to the action of the Local Government Board in ordering us to do this and to pay that. It appears there is no escape from an Order of the Local Government Board—there is no way of protecting the ratepayers. It has, therefore, become necessary that we should again direct public attention to this matter, and endeavour to obtain the assistance of this House in guarding the interests of the Irish taxpayers against the unjust interference of the Local Government Board. I do not propose, and you, Sir, would not allow me, to deal in generalities; I wish to direct attention to the specific case of the treatment of the County Council of Wexford. It is necessary under the terms of my motion that I should adopt this course; but I may point out that other Irish county councils stand in precisely the same position. In county Wexford there is a road mileage, excluding the roads in urban districts, of 1,982 miles. For the management of that mileage we have a county surveyor, whose salary we are ordered by the Local Government Board to increase by 33 per cent. This gentleman heretofore has had a salary of £650 a year, and that was considered ample for the work he has to discharge. We have also four deputy surveyors, whose salaries we are commanded to increase by 87½ per cent. The old salaries were £80 a year, and they were considered quite sufficient for the work to be performed, the best proof of which is that whenever a vacancy occurred there were dozens of applicants for the position. In addition to these increases of salaries, we are also ordered to appoint an additional

† See *The Parliamentary Debates* [Fourth Series], Vol. lxxxiii., p. 1127.

assistant surveyor at a salary of £150 a year. Seeing that during all the years of grand jury management the county managed to get along with a county surveyor at £650, and four assistant surveyors at £80 a year, it will be interesting to know why it is suddenly found necessary, as soon as the people have obtained control of the local administration, to increase the salaries to this large extent and to employ additional officials. This question has been in debate between the County Council of Wexford and the Local Government Board for some time; we have protested against the decision of the Local Government Board, and given the reasons upon which we based that protest, but our protest has been disregarded and our arguments apparently refused a hearing. Now, as a climax, the Local Government Board issue a sealed Order to compel us to submit to their decision in this matter. The Chief Secretary will no doubt explain the meaning of a sealed Order and what it purports to be. As perhaps the perfect accuracy of my version of the story might be suspected, I must trouble the House with some correspondence which has passed between the County Council of Wexford and the Irish Local Government Board. The first act in this performance was the receipt by the secretary of the county council of a circular from the Local Government Board. The circular is dated 29th August, 1899, and numbered 317, so I presume it was the 317th circular we received from the Board between the 1st April and the 29th August last. This circular was sent to the secretary, although some time before the general council of the Irish County Councils had made a request that when an important circular was issued a copy should be sent to every member of the county council interested, because it frequently happened that, owing to the extreme pressure of bringing the Local Government Act into operation, and the great difficulty of dealing with the enormous number of circulars issued, matters of importance escaped the notice of the county councils in consequence of the circulars being sent only to the secretaries. I will take the liberty of reading this circular to the House—

"The Local Government Board for Ireland desire to draw the attention of the county council to the terms of Section 115, Sub-section 18, of the Local Government (Ireland) Act, 1898, which provide that existing officers transferred under the section shall receive such increase or diminution of remuneration in proportion to the increase or diminution of the duties as the Local Government Board may determine, and that the county council, with the approval of the Board, may make a special agreement with any of their officers in the matter. To enable them to discharge the duty thus imposed upon them, the Board will be glad to receive, within three months from the present date, a statement showing the salaries of the secretary, county surveyors, assistant surveyors, and other officers of the council who are affected by the provisions of the sub-section referred to, and who have not made a special agreement with the council on the subject, together with a statement as to the increase or diminution of work to be taken into account in each case. Any observations which the council may see fit to make respecting the claims of their officers under the enactment in question will receive full consideration on the part of the Board."

I may point out that very often these circulars and letters from the Local Government Board arrive just after the meeting of the county council has been held, and considerable time may elapse before the matters are brought to the attention of the council and considered. Last year was the opening year of the local administration in Ireland—a year which gave those entrusted with the administration of local affairs a very great amount of work to do. I am sure the House will agree that it would be perfectly impossible to expect members of county councils, who are unpaid, who are not rich men, who have their own business to manage, who have to support themselves and their families by their own industry, to attend permanently for the purpose of discharging public duties in the county councils. When this circular was issued the Local Government Act had been four or five months in operation, and the whole machinery of local government in Ireland had been put into working order all over the country: That had entailed incessant labour on the part of county councils; there had been constant meetings of the councils and their committees, and at the end of those four or five months the Wexford County Council considered they were entitled to a holiday. This circular was issued in August, but I do not know when the county council met to consider it, as I was abroad at the time. I know that when I left Ireland I had not the least idea that any increase of salaries had been demanded by any of our officials, and I do not know at all when the circular was first brought to the notice of the council. Surely a circular of this

importance ought to have been brought more prominently before public notice than was the case. The county council met in—I believe—November, and the circular was laid before them. They very properly decided to leave the matter open until it was seen what other county councils were doing in the matter. They instructed their finance committee to investigate and report. All this time there was absolutely no communication whatever with the Local Government Board, who knew when the county councils met, and it was their business to draw the attention of the county councils to that circular. Nobody thought this question would be decided *in camera*. A great many of us were prepared to leave the matter in the hands of the Local Government Board, thinking that they would communicate with us, and ask for information upon various points. We never believed that they would take upon themselves the responsibility of deciding the question in opposition to the interests of the ratepayers. The finance committee met on 22nd November, and recommended that the county surveyor's salary should be £600 a year, and that he be allowed £50 for expenses. The old grand jury considered that the salary of the county surveyor was too high, and the council agreed with that view, for they considered that the existing salaries were quite large enough, and they simply adopted the existing salaries as the basis for making a reasonable compromise. All this time no specific demand was made by the officials. We never had any demand by the officials for any specific salary, and it was absolutely impossible for us to name any specific sum under the circumstances. All this time the Local Government Board gave us no information, and the county councils were under the impression that the Local Government Board were giving the matter proper consideration, and consequently no action was taken by the county councils. What happened next was that we received a most extraordinary communication from the Local Government Board on the 7th February, 1900, as follows—

"SIR,—I am directed by the Local Government Board for Ireland to inform you that they have had under consideration the claims for increased remuneration for increased duties made to them under Sections 115 (18) of the Local Government (Ireland) Act, 1898, by the county surveyors who have failed to come to an agreement with the county councils on the matter.

"The Board have carefully considered all representations which have been received by them from the county councils and their officers in response to their circular of the 29th August upon this subject, and they have also had before them a memorandum prepared by the county surveyors, showing the nature of the increased duties devolving upon them under the Act.

"The Board observe that the surveyors contend that their travelling expenses are largely increased owing to their having to attend the meetings and adjourned meetings of the county and district councils, and to make quarterly inspections for contractors' payments.

"They also represent that their additional work in connection with their new duties, including the preparation of plans and specifications and quarterly reports for the district councils, will practically occupy their entire time, so that their private practice must necessarily fall off, and will no longer be the same source of income to them which it has been in the past."

*MR. SPEAKER: I cannot conceive that the hon. Member is keeping within the terms of the leave given by the House. I understand that the hon. Gentleman proposed to call attention to some recent action of the Local Government Board, and he is not entitled to discuss the whole proceedings of the Local Government Board in Ireland with the county council of Wexford, extending over many months, and many months before the date on which the matter took place in respect of which the hon. Gentleman has moved the adjournment of the House. That appears to me to be going entirely beyond the definite matter of urgent public importance to which I understand the hon. Gentleman desires to call attention. I understand that some question has recently arisen in respect of some appointment by the Local Government Board in the county of Wexford, but that does not entitle the hon. Member to discuss the whole history of the proceedings of that Board for many months past and to read a lengthy correspondence between the Board and the county council of Wexford. The hon. Member must endeavour to keep to the terms of his leave.

*SIR THOMAS ESMONDE: Of course, I will bow to your ruling, Mr. Speaker, but my object really was to strengthen the case against myself. My object in reading this correspondence was to argue

the case from the Local Government Board point of view. However, I will not deal with this question of the Local Government Board circulars, although I was anxious to put before the House the replies of the county council to the last circular from the Local Government Board. The county council drew up a detailed reply to every single point raised by the Local Government Board, and to every single point raised by the county surveyors. The next thing was that the right hon. Gentleman the Chief Secretary for Ireland was approached, and he was asked to receive a deputation from the Irish councils generally, in order that they might lay their views before him upon this matter, as they could not get any hearing from the Local Government Board. That request was refused by the right hon. Gentleman. I am perfectly aware that at the time he was not very strong, but I think it was unfortunate that the deputation was not received.

*MR. SPEAKER: I must ask the hon. Member not to repeat the arguments which were used during the discussion of this subject upon the Estimates. The hon. Member must refer only to some recent urgent matter of public importance which has occurred since that time.

*SIR THOMAS ESMONDE: I have only to say that the right hon. Gentleman could not receive that deputation because the matter had been discussed on the Estimates. It is much to be regretted that we could not come to some understanding, for the county council had not the smallest intention of refusing to pay reasonable salaries to their officials. All they wanted was that their case should be heard, and that the Local Government Board should take into consideration what was urged on the other side. If salaries were honestly due to the officials we should pay them with the greatest of pleasure, but what we contend is that definite steps ought to have been taken to consider the views of the county councils upon this matter before it was decided. Unquestionably, the views of the county councils have not been properly considered, and all we ask is that they should be considered. The resolutions passed by the Wexford County Council make it perfectly clear that we are prepared to pay fitting salaries to our officers, and to pay for any increased work which devolves upon them owing to the working of the Local Government Act; but what we say is that our side of the question has not been properly considered. The Local Government Board have retaliated by issuing a sealed Order, and that Order, I understand, comes before my county council to-morrow. I will therefore take the responsibility of advising the county council to postpone its consideration for a little longer in order that the Government may be able to find a way out of the difficulty. I do not know whether the right hon. Gentleman the Chief Secretary for Ireland realises fully the seriousness of the position. The Act of Parliament does not say that the Local Government Board should give greater salaries than ought to be given, but it says that they should award such salaries as are fit and proper. I would like to impress upon the right hon. Gentleman the seriousness of the position. In what I have said I have been careful to say nothing at which he can take offence. The Chief Secretary for Ireland has been ruling Ireland now for four or five years, and probably he will agree with me that during all that time the county of Wexford has given him perhaps less trouble than any other county in Ireland. I think that even the Local Government Board for Ireland will admit that the various local boards in the county of Wexford have given them as little trouble as any other public boards in any other part of the country. The people of the county of Wexford feel very strongly upon this question. They are not an excitable people; they are a peaceful people; they are a quiet people; they are an industrious people. All they ask is to be allowed to do their own business in their own way. But they will stand dictation from nobody. The Chief Secretary may not understand the character of the Wexford people. There is nothing theatrical about them. But they have this peculiarity that they mean what they say, and, if they must fight, they will fight. What the council demand is to be allowed to do their own work in their own way; and, although they are not particularly anxious to fight this question, and would

prefer that it should be settled amicably, I take the liberty of telling the right hon. Gentleman and the Irish Government that, if this matter is pushed to extremes, Wexford will fight. The right hon. Gentleman does not know much about that part of Ireland; but if he insists on this Order I am afraid there will be considerable trouble not only in Wexford, but in other counties also. I would take the liberty of suggesting to the right hon. Gentleman, in a perfectly friendly spirit, that he should endeavour to find a way out of the difficulty. All that the county council desire is that their case should be given reasonable consideration. It is no use pointing to Acts of Parliament and to the solitary circular which was issued. Knowing the feeling in the county, I can say that unless ordinary courtesy is extended to the county council not a single member of it will consent to pay a farthing of these increased salaries; and there is not a Nationalist in the county, and I doubt if there are very many Unionists, who will not support the council in that attitude. For political purposes it might be just as well if we had a new *casus belli* against the Irish Government. Individually I am desirous of saving my own county from the anxieties and the sacrifices which a new war in Ireland would entail; and therefore, knowing the extreme gravity of the situation, I have taken the unusual course of moving the adjournment for the purpose of endeavouring to induce the Chief Secretary to find a golden bridge out of the difficulty, and make peace while he may. There is nothing in the Act of Parliament to prevent the right hon. Gentleman settling the matter in a reasonable manner, and if the right hon. Gentleman chooses to carry it to extremes his is the responsibility. It might be as well for political reasons if the Local Government Board declared war on the county councils in Ireland, because it would give us a common ground of action against the Government which would cause us to forget our own differences. Whatever may be the decision of the Government is absolutely indifferent to me. In conclusion, I will only say that Wexford is prepared to fight the matter out if necessary, and is determined not to tolerate such interference from the Local Government Board. Hence I offer the suggestion to the Chief Secretary that he should take steps to preserve peace before it is too late.

Sir Thomas Esmonde.

MR. JAMES O'CONNOR (Wicklow, W.): In seconding the motion of the hon. Baronet, I desire to say, at the outset, that I think that the Chief Secretary was rather ill-advised in endeavouring to shut up discussion on this subject. It is really a most important question which the Local Government Board have wantonly and arbitrarily forced on the people of Ireland. The right hon. Gentleman is aware that local taxation in Ireland is much higher than in England. But the Local Government Board are increasing the rates at such a speed that really the county councils are very likely to break down under the burden that is being imposed on them. I am aware that in the Act of 1898 there is a clause—and this will be the answer of the Chief Secretary—to the effect that the Local Government Board can raise salaries if the county councils will not do it, and if the duties of the existing officers have been increased. But who is the best judge of whether the duties have increased or not? The county councils ought to be the best judges, but the Local Government Board will not allow that right of judgment, and they insist on saying that the duties of such and such an official have been increased by the Act.

*MR. SPEAKER: It may be I was somewhat premature in allowing this matter to be raised on a motion for the adjournment; but at any rate, the hon. Member must confine himself to a definite matter of urgent public importance. I must say that, judging from the arguments addressed to the House, it appears as if an endeavour is being made to argue the general question of the policy of the Local Government Board under the powers given to them by the Act of 1898. That would be out of order, because it would not be within the terms of the motion, and it would be discussing a general matter which could not be said to be in any way urgent, although it may be important. Therefore the hon. Member must endeavour to confine himself to the terms of the motion. I certainly understood that an attempt would be made to show that there are specific circumstances in the county of Wexford to which it is desirable to call attention without delay, not an attempt to discuss the same general matter which was, as I under-

stand, discussed on the Estimates—the policy of the Local Government Board in exercising the powers given them by the Act of 1898.

MR. JAMES O'CONNOR: I had no desire to go outside the limits of the motion, but I understand, and I believe that the Chief Secretary is also aware, that these increases of salaries have been going on since May 24th, the date on which the Estimates referred to were discussed in this House. If these increases had been stopped after that date there would certainly have been no ground for this motion, but the practice continues.

*MR. SPEAKER: The practice, as I understand, existed before 24th May, and has been continued since. It is therefore a continuous policy which was discussed on the Estimates, and that policy cannot be discussed on the motion before the House.

MR. JAMES O'CONNOR: It is since then that this Sealed Order system was inaugurated, a system to which the Irish people are quite unaccustomed, and for that reason the hon. Gentleman is perfectly entitled to bring forward his motion. The Local Government Board had no right to exercise their judgment as regards increases of salary; that duty belongs to the county councils. My hon. friend has referred to the fact that Wexford is determined to resist this attempt to impose additional taxation on them which they cannot bear, and I trust that not only the Wexford County Council, but every county council in Ireland, will fight the Local Government Board out to the very end, and that they will not allow the Board to impose exorbitant rates on them, which they have been endeavouring to do since the Act came into operation.

Motion made, and Question proposed, "That this House do now adjourn."

MR. G. W. BALFOUR: I certainly think that the House will agree with me that this motion is the most extraordinary abuse of the rules of the House that we have ever heard of. It was perfectly obvious from the speeches of the mover and seconder that their desire was to bring forward a question which had taken an entire evening when the Vote for the Local Government Board was under consideration, but by your ruling, Sir, they have been prevented from doing that. What is there left to answer? One thing, and one thing only, and that is the action of the Board in issuing sealed Orders. The hon. Member talked as if the sealed Order system was a new thing. That system has been going on for the last fifty years.

MR. JAMES O'CONNOR: Not in this connection.

MR. G. W. BALFOUR: Let me explain why a sealed Order was issued in this case. The Local Government Board, acting under the powers and duties imposed upon them by the Act, made these Orders in connection with the salaries of existing officers. The county council refused to carry them out, and the matter then became one between the officer in whose interest the Order had been issued on the one side, and the county council on the other. His redress, if the county council refuse to give him the increase of salary to which the Board had declared he was entitled, is to sue them before a court, and in the absence of a sealed Order there would be no evidence that the Local Government Board had made the Order as to salaries. It was in order to enable the officer to proceed that the sealed Order was issued.

MR. DILLON (Mayo, E.): The Chief Secretary states in his high and mighty fashion that the system of sealed Orders has been in force in Ireland for fifty years, but that system—and a very tyrannical system it is—has only been enforced against inferior local bodies—namely, the boards of guardians. That system has been put in force on this occasion, for the first time, against a county council in Ireland. And when the right hon. Gentleman says that this system of sealed Orders has been in force for fifty years, I would put this question to him: Was it ever enforced against the grand juries in Ireland?

THE ATTORNEY GENERAL FOR IRELAND (Mr. ATKINSON, London derry, N.): The Local Government Board can make no valid Order except under seal.

MR. DILLON: That is a question of a technicality—that the Order made is

described as a sealed Order. But the object is to coerce and compel, and to furnish the machinery to coerce and compel, the county council to pay this officer a bigger salary than they are willing to do. It may be that the principle of the matter was discussed before; but now we have come to machinery, to the fresh assertion of powers by the Local Government Board against the county councils, who are the legitimate successors of the grand juries, and no such power was ever attempted to be put in force against them. There was no jurisdiction against the grand juries, and that is our point. Why are the representatives of the people, who have now come into power, to be compelled by this most oppressive and coercive jurisdiction to do what the old grand juries were never sought to be compelled to do? It is a most monstrous exercise of power. The right hon. Gentleman tried to run away from this case by making out that our mouths should be closed on this occasion because we have debated the subject on the Local Government Board Vote. He utterly misstated the case when he said that the Local Government Board had no alternative but to proceed by this method of sealed Order, and authorise officials to take action against their own employers. That is not true. The Local Government Board had an alternative. Recollect what happened in the debate on the Irish Estimates. From all sides—equally from that as from this side of the House—there came a protest from the Irish Members against the exercise of this discretion by the Local Government Board, and we were entitled to expect, as a result of that debate in May last, that the Local Government Board, instead of rushing without hesitation to this extreme course of action, which is sure to embroil them in a row, would invite from the county councils a full statement of the grounds on which they object to the increase of the salaries. At all events, they were bound to delay coercive action until ample time had been given for a friendly interchange of opinion between the Local Government Board and the county councils. But what did the Local Government Board do? They incontinently, in spite of the unanimous protest of all sections of the Irish Members, rushed to issue these sealed Orders all over Ireland.

Mr. Dillon.

*Mr. SPEAKER: The hon. Member is simply continuing the debate which took place in Committee. An Order must be made under seal; and, if the Local Government Board exercise their discretion, they must do so by means of the legal machinery. As to the general policy of the Board in exercising their discretion, that is not a definite matter of urgent public importance. I quite understood that the hon. Member for West Kerry was going to show in the case of Wexford that some very important action had recently been taken by the Local Government Board; but the hon. Gentleman is making no distinction between this case and that already discussed in Committee.

*Sir THOMAS ESMONDE: As a matter of personal explanation, it was only on Saturday that I learned that the County Council of Wexford had been served with a sealed Order. I had no idea that any other county council had been served in the same way.

Mr. DILLON: I really think, Mr. Speaker, that you do not quite appreciate the line I was taking. My contention is that the Local Government Board, instead of exercising the discretion they have under the Act in a rational and wise way, have suddenly precipitated a collision between themselves and the County Council of Wexford which may lead to disturbance and agitation, and to a very serious strain upon the whole system of local government in Ireland.

Mr. FLYNN (Cork, N.): This motion is a very important concrete illustration of the general conduct of the Government in Ireland and of the Local Government Board. I would like to know whether the Local Government Board or the county council are the most competent to judge as to the sufficiency of an increase in salary to be given to the county surveyor. If there is a difference of opinion between the Local Government Board and the county council on a question of fact in regard to the remuneration of this surveyor, why could not the Local Government Board enter into argument and friendly negotiations with this particular county council, and settle the matter without this issue of a sealed Order? It may be necessary to issue a sealed Order, but why did the Local Govern-

ment Board act so promptly? Surely the County Council of Wexford had given no indication that they were not inclined to treat any man unfairly. So far as I know, the County Council of Wexford had given every indication of their desire to treat their existing officers very fairly, and even in a liberal manner. This gentleman's duties had been increased in a very small degree, and an increase of £50 a year was quite enough. In a poor country like Ireland £650 a year is a salary of no mean dimensions. Whether the Local Government Board are right or wrong, they should be very chary indeed and slow to force their view in regard to the salaries of county officials in this arbitrary manner upon county councils, who ought to be the best judges as to whether the salaries are adequate or not, and whether the increase proposed is commensurate with the increased duties. The value of this particular motion of the hon. Baronet is that it is a concrete illustration of the dangerous practice now being pursued by the Local Government Board in setting aside the decision of the local authorities and coming down upon them in an autocratic manner with sealed Orders. It is trifling to say that sealed Orders mean nothing, and that they are absolutely necessary. That is not the point. The point is whether the Local Government Board ought to set aside the decision of the local authority on a local matter in an autocratic manner and say, "We say so and so, and there is no appeal from our decision."

MR. T. P. O'CONNOR (Liverpool, Scotland): As I gather, the defence of the Government is that in issuing the sealed Order they were carrying out a mere Ministerial act. I quite appreciate that under the ruling of Mr. Speaker we cannot discuss the general policy of the Local Government Board in regard to these local officials. The narrow point to which we are confining ourselves is as to the issue of this sealed Order. I accept fully the description of a sealed Order given by the Chief Secretary and the Attorney General—that it is an Order with the proper and technical formality of the attachment of a seal. But the Attorney General says that a sealed Order in this particular case was necessary, because without it the county surveyor would not be entitled or enabled to take legal action against the county council. Does not that, after all, come to this: that the Local Government Board have taken upon themselves the responsibility—I will not say of encouraging, but of enabling the county surveyor to enter into litigation with the county council? If that is so, I put it to the Attorney General whether it was not entirely within the discretion of the Local Government Board to postpone or delay the issue of the sealed Order in question. Reason, prudence, and policy should have dictated them to adopt such a course. But they have shown—I will not say indecent, but considerable haste in issuing this sealed Order, and in that way have driven the county surveyor into litigation with the county council. I put it to the Government whether it is fair to the county councils that they should be forced into this conflict with the authorities, into which they are forced by the action of the Government. Is it in the interests of good government and order in Ireland generally that this contest should be forced and accelerated on the county surveyor? My hon. friend has put his case to the Government, who have met his suggestions with persistent refusals, and now the responsibility of safeguarding the authorities of law, self-government and order must rest upon the Government.

MR. FLAVIN (Kerry, N.) felt it his duty to associate himself with the protest which had been raised by the hon. Member for East Mayo. Under the old grand jury system £60 a year was considered a proper and sufficient sum for the salary of the county surveyor, but when popular self-government was given to Ireland the Government thought that the sum should be raised to £150, and, therefore, a sealed Order was sent to the county councils to pay that salary. The only conclusion he could come to was that, the landlords having been relieved of all rates, the county council was now to be compelled to increase the rates for an improper purpose. He protested against the sealed Order being sent down, and thought that the county council ought not only to protest against it, but also to refuse to comply with it. He desired to know whether under the sealed Orders the county councils had a right to discharge the county surveyors with or with-

out a gratuity or pension. Having regard to the efforts which were being made in favour of popular self-government, it was the duty of all Irish Members to protest against the action of the Government, and show the constituents that the increase in the rates was not due to the county councils, but to the action of the Local Government Board.

MR. SWIFT MACNEILL (Donegal, S.) said the sealed Order which had been stated by the Attorney General for Ireland and the Chief Secretary to be a mere Ministerial act was, in fact, something more. It was a fiat which enabled the county surveyor of Wexford to take action against the Wexford County Council. In his opinion greater discretion ought to have been exercised, and the Local Government Board ought to have waited until the time came when no compromise between the county council and the county surveyor appeared to be possible. The Government ought to have had more discretion than to allow the Local Government Board to have acted as they had done, and to that extent the Government were responsible.

MR. POWER (Waterford, E.) desired to join in the protest which had been made by the Irish Members against the way in which the Local Government Board had treated Wexford by the issue of the sealed Order. He was glad that the county council had taken the step they had with regard to it, for the reason that if matters like this were allowed to pass without protest, the inhabitants of Ireland would look not to the county councils, but to the Local Government Board, as the local authority. He hoped the right hon. Gentleman would show the same regard to the various localities, and not seek to override their action as he had done with regard to this matter.

Question put.

The House divided:—Ayes, 114; Noes, 199. (Division List No. 188.)

AYES.

Abraham, Wm. (Cork, N.E.)
Allan, William (Gateshead)
Allison, Robert Andrew
Ashton, Thomas Gair
Asquith, Rt. Hn. Herbert Henry
Atherley-Jones, L.
Austin, M. (Limerick, W.)
Baker, Sir John
Barlow, John Emmott
Beaumont, Wentworth C. B.
Billson, Alfred
Birrell, Augustine
Blake, Edward
Bryce, Rt. Hon. James
Buchanan, Thomas Ryburn
Caldwell, James
Carew, James Laurence
Causton, Richard Knight
Cawley, Frederick
Channing, Francis Allston
Colville, John
Crilly, Daniel
Crombie, John William
Curran, Thomas (Sligo, S.)
Dalziel, James Henry
Davies, M. Vaughan-(Cardigan
Dillon, John
Doogan, P. C.
Dunn, Sir William
Emmott, Alfred
Engledew, Charles John
Evans, Sir Francis H. (South'ton
Farquharson, Dr. Robert
Flavin, Michael Joseph
Flynn, James Christopher
Fox, Dr. Joseph Francis
Goddard, Daniel Ford
Gold, Charles
Haldane, Richard Burdon
Harwood, George
Hayne, Rt. Hon. Charles Seale-
Hazell, Walter
Hedderwick, Thomas C. H.
Hemphill, Rt. Hon. Charles H.
Holland, William Henry
Horniman, Frederick John
Jameson, Major J. Eustace
Johnson-Ferguson, Jabez Edw.
Jones, William (Carnarvons.)
Kay-Shuttleworth, Rt Hn Sir U
Kearley, Hudson E.
Langley, Batty
Lawson, Sir Wilfrid (Cumb'l'nd
Leese, Sir Joseph F. (Accrington
Leng, Sir John
Lewis, John Herbert
Macaleese, Daniel
MacDonnell Dr MA (Queen'sC.
MacNeill, John Gordon Swift
M'Crae, George
M'Dermott, Patrick
M'Ewan, William
M'Ghee, Richard
M'Hugh, Patrick A. (Leitrim)
M'Laren, Charles Benjamin
M'Leod, John
Mandeville, J. Francis
Mendl, Sigismund Ferdinand
Molloy, Bernard Charles
Morgan, J. L. (Carmarthen)
Morgan, W Pritchard (Merthyr
Morton, Edw. J. C. (Devonport)
Moulton, John Fletcher
O'Brien, James F. X. (Cork)
O'Brien, Patrick (Kilkenny)
O'Connor, James (Wicklow, W.
O'Connor, T. P. (Liverpool)
O'Dowd, John
O'Kelly, James
Oldroyd, Mark
O'Malley, William
Palmer, George W. (Reading)
Paulton, James Mellor
Pease, Joseph A. (Northumb.)
Pickersgill, Edward Hare
Price, Robert John
Reckitt, Harold James
Richardson, J. (Durham, S.E.)
Roberts, John H. (Denbighs.)
Robertson, Edmund (Dundee)
Shaw, Charles E. (Stafford)
Smith, Samuel (Flint)
Soames, Arthur Wellesley
Souttar, Robinson
Spicer, Albert
Stevenson, Francis S.
Strachey, Edward
Sullivan, Donal (Westmeath)
Sullivan, T. D. (Donegal, W.)
Tanner, Charles Kearns
Trevelyan, Charles Philips
Ure, Alexander
Wallace, Robert
Walton, John L. (Leeds, S.)
Walton, Joseph (Barnsley)
Wason, Eugene
Wedderburn, Sir William
Weir, James Galloway
Wills, Sir William Henry
Wilson, Henry J. (York, W.R.)
Wilson, John (Govan)
Woods, Samuel
Young, Samuel (Cavan, East)
Yoxall, James Henry

TELLERS FOR THE AYES—Sir Thomas Esmonde and Captain Donelan.

NOES.

Acland-Hood, Capt. Sir A. F.
Allsopp, Hon. George
Arrol, Sir William
Atkinson, Rt. Hon. John
Austin, Sir John (Yorkshire)
Bailey, James (Walworth)
Baird, John George Alexander
Baldwin, Alfred
Balfour, Rt. Hon. A. J. (Manch'r
Balfour, Rt. Hon. G. W. (Leeds
Banbury, Frederick George
Barry, Rt Hn A H Smith-(Hunts
Barry, Sir Francis T. (Windsor
Bartley, George C. T.
Beach, Rt. Hn. Sir M. H. (Bristol
Beach, Rt. Hn. W. W. B. (Hants.
Bethell, Commander
Bhownaggree, Sir M. M.
Biddulph, Michael
Bigwood, James
Bill, Charles
Blakiston-Houston, John
Blundell, Colonel Henry
Boscawen, Arthur Griffith-
Boulnois, Edmund
Bowles, Capt. H. F. (Middlesex)
Brassey, Albert
Brodrick, Rt. Hon. St. John
Campbell, Rt. Hn. J A (Glasgow
Carlile, William Walter
Carson, Rt. Hon. Sir Edw. H.
Cavendish, V. C. W. (Derbysh.
Cayzer, Sir Charles William
Cecil, Evelyn (Hertford, East)
Cecil, Lord Hugh (Greenwich)
Chamberlain, Rt. Hon. J. (Birm.
Chamberlain, J. A. (Worc'r.)
Chaplin, Rt. Hon. Henry
Charrington, Spencer
Chelsea, Viscount
Coddington, Sir William
Collings, Rt. Hon. Jesse
Cook, Fred. Lucas (Lambeth)
Corbett, A. Cameron (Glasgow
Cornwallis, Fiennes Stanley W.
Cripps, Charles Alfred
Curzon, Viscount
Digby, John K. D. Wingfield-
Dilke, Rt. Hon. Sir Charles
Disraeli, Coningsby Ralph
Dixon-Hartland, Sir Fred. D.
Douglas, Rt. Hon. A. Akers-
Doxford, Sir William T.
Elliot, Hon. A. Ralph Douglas
Fardell, Sir T. George
Fellowes, Hon. Ailwyn Edw.
Fergusson, Rt Hn Sir J (Manch'r
Finlay, Sir Robert Bannatyne
Fisher, William Hayes
FitzGerald, Sir Robert Penrose-
Fitz Wygram, General Sir F.
Flannery, Sir Fortescue
Flower, Ernest
Foster, Colonel (Lancaster)
Galloway, William Johnson
Garfit, William
Gibbs, Hn. A G H (City of Lond.)
Gibbs, Hon. Vicary (St. Albans)
Giles, Charles Tyrrell
Gilliat, John Saunders
Goldsworthy, Major-General
Gordon, Hon. John Edward
Gorst, Rt. Hon. Sir John Eldon
Goschen, Rt Hn G J (St George's)
Goschen, George J. (Sussex)
Goulding, Edward Alfred
Greene, Henry D. (Shrewsbury)
Greville, Hon. Ronald
Gull, Sir Cameron
Gunter, Colonel
Halsey, Thomas Frederick
Hamilton, Rt. Hon Lord George
Hanbury, Rt. Hon. Robert Wm.
Hanson, Sir Reginald
Hardy, Laurence
Hatch, Ernest Frederick Geo.
Heath, James
Helder, Augustus
Henderson, Alexander
Hermon-Hodge, Robert T.
Hill, Rt. Hn. A. Staveley (Staffs.
Hoare, Sir Samuel (Norwich)
Houldsworth, Sir Wm. Henry
Howard, Joseph
Howell, William Tudor
Howorth, Sir Henry Hoyle
Hozier, Hon. James Henry C.
Hudson, George Bickersteth
Hughes, Colonel Edwin
Hutton, John (Yorks, N. R.)
Jeffreys, Arthur Frederick
Johnstone, Heywood (Sussex)
Kenyon-Slaney, Col. Wm.
Kimber, Henry
King, Sir Henry Seymour
Knowles, Lees
Lafone, Alfred
Laurie, Lieut.-General
Lawrence, Sir E Durning-(Corn.
Lawson, John Grant (Yorks)
Lea, Sir Thomas (Londonderry)
Lecky, Rt. Hon. William Edw H
Leigh-Bennett, Henry Currie
Leighton, Stanley
Llewelyn, Sir Dillwyn- (Swan.)
Lockwood, Lt.-Col. A. R.
Long, Col. Charles W. (Evesham
Long, Rt Hn Walter (Liverpool)
Lopes, Henry Yarde Buller
Lowe, Francis William
Lowles, John
Loyd, Archie Kirkman
Macartney, W. G. Ellison
Macdona, John Cumming
M'Iver, Sir Lewis (Edinburgh W
Malcolm, Ian
Maple, Sir John Blundell
Meysey-Thompson, Sir H. M.
Middlemore, J. Throgmorton
Milbank, Sir Powlett Chas John
Milner, Sir Frederick George
Milward, Colonel Victor
Monckton, Edward Philip
Monk, Charles James
Moore, William (Antrim, N.)
Morgan, Hn. Fred. (Monmthsh.
Morton, Arthur H. A. (Deptford
Mowbray, Sir Robert Gray C.
Murray, Rt Hn A. Graham (Bute
Murray, Col. Wyndham (Bath)
Myers, William Henry
Nicol, Donald Ninian
O'Neill, Hon. Robert Torrens
Parkes, Ebenezer
Pease, Herbert Pike (Darlingt'n
Pender, Sir James
Penn, John
Percy, Earl
Phillpotts, Captain Arthur
Pilkington, Rich (Lancs Newt'n
Platt-Higgins, Frederick
Pretyman, Ernest George
Purvis, Robert
Pym, C. Guy
Rankin, Sir James
Rasch, Major Frederic Carne
Remnant, James Farquharson
Ridley, Rt. Hn. Sir Matthew W.
Ritchie, Rt. Hn. Chas. Thomson
Robertson, Herbert (Hackney)
Rothschild, Hon. Lionel Walter
Round, James
Russell, Gen. F. S. (Cheltenham)
Russell, T. W. (Tyrone)
Samuel, Harry S. (Limehouse)
Sandon, Viscount
Sandys, Lieut.-Col. T. Myles
Saunderson, Rt. Hn. Col. E. J.
Sharpe, William Edward T.
Sidebottom, William (Derbysh.
Sinclair, Louis (Romford)
Smith, Abel H. (Christchurch
Smith, James Parker (Lanarks.
Smith, Hon W. F. D. (Strand)
Spencer, Ernest
Stanley, Hn. Arthur (Ormskirk
Stanley, Edward J. (Somerset)
Stanley, Sir Henry M (Lambeth
Stewart, Sir Mark J. M'Taggart
Stirling-Maxwell, Sir John M.
Stone, Sir Benjamin
Sturt, Hon. Humphry Napier
Thornton, Percy M.
Tomlinson, Wm. Edw. Murray
Tritton, Charles Ernest
Tuke, Sir John Batty
Vincent, Sir Edgar (Exeter)
Warde, Lieut.-Col. C. E. (Kent)
Warr, Augustus Frederick
Welby, Lt.-Col. A C E (Taunton
Whiteley, H. (Ashton-under-L
Whitmore, Charles Algernon
Williams, Colonel R. (Dorset)
Williams, Jos. Powell- (Birm.
Wilson, J. W. (Worcestersh. N.)
Wilson-Todd, W. H. (Yorks.)
Wodehouse, Rt. Hn. E. R. (Bath
Wortley, Rt. Hn. C. B. Stuart-
Wyndham, George
Wyvill, Marmaduke D'Arcy

TELLERS FOR THE NOES.—Sir William Walrond and Mr. Anstruther.

SITTINGS OF THE HOUSE (EXEMPTION FROM THE STANDING ORDER).

Motion made, and Question put, "That the Proceedings on the Tithe Rent-charge (Ireland) Bill, if under discussion at Twelve o'clock this night, be not interrupted under the Standing Order, Sittings of the House."—(*Mr. Balfour.*)

The House divided:—Ayes, 200; Noes, 122. (Division List No. 189.)

AYES.

Acland-Hood, Capt. Sir Alex. F.
Allsopp, Hon. George
Arrol, Sir William
Atkinson, Rt. Hon. John
Baillie, James E. B. (Inverness)
Baird, John George Alexander
Baldwin, Alfred
Balfour, Rt. Hon. A. J. (Manch'r
Balfour, Rt Hn Gerald W (Leeds
Banbury, Frederick George
Barry, Rt Hn A H Smith-(Hunts
Barry, Sir Francis T. (Windsor)
Bartley, George C. T.
Beach, Rt. Hn. Sir. M H (Bristol)
Beach, Rt. Hn. W. W. B (Hants.
Bethell, Commander
Bhownaggree, Sir M. M.
Biddulph, Michael
Bigwood, James
Bill, Charles
Blakiston-Houston, John
Blundell, Colonel Henry
Boscawen, Arthur Griffith-
Boulnois, Edmund
Bowles, Capt. H. F. (Middlesex)
Brassey, Albert
Brodrick, Rt. Hon. St. John
Campbell, Rt. Hn. J A. (Glasgow
Carlile, William Walter
Carson, Rt. Hon. Sir Edw. H.
Cavendish, V. C. W. (Derbys.)
Cayzer, Sir Charles William
Cecil, Evelyn (Hertford, East)
Cecil, Lord Hugh (Greenwich)
Chamberlain, Rt. Hn. J. (Birm.)
Chamberlain, J Austen (Worc'r
Chaplin, Rt. Hon. Henry
Charrington, Spencer
Chelsea, Viscount
Coddington, Sir William
Collings, Rt. Hon. Jesse
Cook, Fred. Lucas (Lambeth)
Corbett, A. Cameron (Glasgow
Cornwallis, Fiennes Stanley W.
Cripps, Charles Alfred
Curzon, Viscount
Digby, John K. D. Wingfield-
Disraeli, Coningsby Ralph
Dixon-Hartland, Sir F. Dixon
Douglas, Rt. Hon. A. Akers
Doxford, Sir William Theodore
Elliot, Hon. A. Ralph Douglas
Fardell, Sir T. George
Fellowes, Hon. Ailwyn Edw.
Fergusson, Rt. Hn. Sir J. (Man'r
Finch, George H.
Finlay, Sir Robert Bannatyne
Fisher, William Hayes
FitzGerald, Sir Robert Penrose
Fitz Wygram, General Sir F.
Flannery, Sir Fortescue
Flower, Ernest
Foster, Colonel (Lancaster)
Foster, Harry S. (Suffolk)
Galloway, William Johnson
Garfit, William
Gedge, Sydney
Gibbs, Hn. A. G. H. (City of Lond
Gibbs, Hon. Vicary (St. Albans)
Giles, Charles Tyrrell
Gilliatt, John Saunders
Goldsworthy, Major-General
Gordon, Hon. John Edward
Gorst, Rt. Hn. Sir John Eldon
Goschen, Rt Hn. G. J. (St. Geor's
Goschen, George J. (Sussex)
Goulding, Edward Alfred
Greene, Hy. D. (Shrewsbury)
Greville, Hon. Ronald
Gull, Sir Cameron
Gunter, Colonel
Halsey, Thomas Frederick
Hamilton, Rt. Hn. Lord George
Hanbury, Rt. Hn. Robert W.
Hanson, Sir Reginald
Hardy, Laurence
Hatch, Ernest Frederick Geo.
Heath, James
Helder, Augustus
Henderson, Alexander
Hermon-Hodge, Robert T.
Hill, Rt. Hon. A. S. (Staffs.)
Hoare, Sir Samuel (Norwich)
Houldsworth, Sir William H.
Howard, Joseph
Howell, William Tudor
Howorth, Sir Henry Hoyle
Hozier, Hon. James Henry Cecil
Hudson, George Bickersteth
Hughes, Colonel Edwin
Hutton, John (Yorks. N. R.)
Jeffreys, Arthur Frederick
Johnstone, Heywood (Sussex)
Kenyon-Slaney, Col. William
Kimber, Henry
King, Sir Henry Seymour
Knowles, Lees
Lafone, Alfred
Laurie, Lieut.-General
Lawrence, Sir E. Durning-(Corn
Lawson, John Grant (Yorks.)
Lecky, Rt. Hon. Wm. E. H.
Leigh-Bennett, Henry Currie
Leighton, Stanley
Llewelyn, Sir Dillwyn-(S'wns'a
Lockwood, Lt.-Col. A. R.
Long, Col. Chas. W. (Evesham
Long, Rt. Hon. W. (Liverpool
Lopes, Henry Yarde Buller
Lowe, Francis William
Lowles, John
Loyd, Archie Kirkman
Macartney, W. G. Ellison
Macdona, John Cumming
M'Iver, Sir L. (Edinburgh, W.
M'Killop, James
Malcolm, Ian
Maple, Sir John Blundell
Meysey-Thompson, Sir H. M.
Middlemore, John T.
Milbank, Sir Powlett Chas. J.
Milner, Sir Frederick George
Milward, Colonel Victor
Monckton, Edward Philip
Monk, Charles James
Moore, William (Antrim, N.)
Morgan, Hon. F. (Monm'thsh.
Morton, A. H. A. (Deptford)
Mowbray, Sir Robert Gray C.
Murray, Rt. Hon. A. G. (Bute
Murray, Col. Wyndham (Bath
Myers, William Henry
Nicol, Donald Ninian
O'Neill, Hon. Robert Torrens
Parkes, Ebenezer
Pease, Herbert P. (Darlington
Pender, Sir James
Penn, John
Percy, Earl
Phillpotts, Captain Arthur
Pilkington, R. (Lancs, Newton
Platt-Higgins, Frederick
Pretyman, Ernest George
Purvis, Robert
Pym, C. Guy
Rankin, Sir James
Rasch, Major Frederic Carne
Remnant, James Farquharson
Ridley, Rt Hon Sir Matthew W.
Ritchie, Rt. Hn. Chas. T.
Robertson, Herbt. (Hackney)
Rothschild, Hon. Lionel W.
Round, James
Russell, Gen. F. S (Cheltenham)
Russell, T. W. (Tyrone)
Samuel, Harry S. (Limehouse)
Sandon, Viscount
Sandys, Lieut.-Col. Thomas M.
Saunderson, Rt Hon Col Edw. J.
Sharpe, William Edward T.
Sidebottom, William (Derbysh.
Sinclair, Louis (Romford)
Smith, Abel H. (Christchurch)
Smith, James Parker (Lanarks.
Smith, Hon. W. F. D. (Strand)
Spencer, Ernest
Stanley, Hon Arthur (Ormskirk
Stanley, Edw. Jas. (Somerset)
Stanley, Sir Henry M (Lambeth
Stewart, Sir Mark J. M'Taggart
Stirling-Maxwell, Sir John M.
Stone, Sir Benjamin
Sturt, Hon. Humphrey N.
Thornton, Percy M.
Tomlinson, Wm. Edw. M.
Tritton, Charles Ernest
Tuke, Sir John Batty
Vincent, Sir Edgar (Exeter)
Warde, Lieut.-Col, C. E. (Kent)
Warr, Augustus Frederick
Welby, Lt.-Col ACE (Taunton)
Whiteley, H. (Ashton-under-L.
Whitmore, Charles Algernon
Williams, Colonel R. (Dorset)
Williams, Joseph Powell-(Birm.
Wilson, J. W. (Worcestersh. N.
Wilson-Todd, Wm. H. (Yorks.)
Wodehouse, Rt Hon E. R. (Bath
Wortley, Rt. Hon. C. B. Stuart-
Wyndham, George
Wyvil, Marmaduke D'Arcy

TELLERS FOR THE AYES—Sir William Walrond and Mr. Anstruther.

NOES.

Abraham, Wm. (Cork, N.E.)
Allan, William (Gateshead)
Allison, Robert Andrew
Ashton, Thomas Gair
Asquith, Rt. Hn Herbert Henry
Atherley-Jones, L.
Austin, Sir John (Yorkshire)
Austin, M. (Limerick, W.)
Baker, Sir John
Barlow, John Emmott
Beaumont, Wentworth C. B.
Billson, Alfred
Birrell, Augustine
Blake, Edward
Bryce, Rt. Hon. James
Buchanan, Thomas Ryburn
Caldwell, James
Campbell-Bannerman, Sir H.
Carew, James Laurence
Causton, Richard Knight
Cawley, Frederick
Channing, Francis Allston
Colville, John
Crilly, Daniel
Crombie, John William
Curran, Thomas B. (Donegal)
Curran, Thomas (Sligo, S.)
Dalziel, James Henry
Davies, M Vaughan-(Cardigan
Dilke, Rt. Hon. Sir Charles
Dillon, John
Doogan, P. C.
Dunn, Sir William
Emmott, Alfred
Engledew, Charles John
Esmonde, Sir Thomas
Evans, Sir Francis H. (South'ton
Farquharson, Dr. Robert
Flavin, Michael Joseph
Flynn, James Christopher
Fox, Dr. Joseph Francis
Goddard, Daniel Ford
Gold, Charles
Haldane, Richard Burdon
Harwood, George
Hayne, Rt. Hon. Charles Seale-
Hazell, Walter
Hedderwick, Thomas Charles H
Hemphill, Rt. Hon. Charles H.
Holland, William Henry
Horniman, Frederick John
Jameson, Major J. Eustace
Johnson-Ferguson, Jabez Edw.
Jones, William (Carnarvonsh.)
Kay-Shuttleworth, Rt Hn Sir U
Kearley, Hudson E.
Lawson, Sir Wilfrid (Cumb'l'nd
Lea, Sir Thomas (Londonderry)
Leese, Sir Joseph F. (Accrington
Leng, Sir John
Lewis John Herbert
Macaleese, Daniel
MacDonnell, Dr. M. A. (Qn'sC.)
MacNeill, John Gordon Swift
M'Arthur, William (Cornwall)
M'Crae, George
M'Dermott, Patrick
M'Ewan, William
M'Ghee, Richard
M'Hugh, Patrick A. (Leitrim)
M'Laren, Charles Benjamin
M'Leod, John
Mandeville, J. Francis
Mendl, Sigismund Ferdinand
Molloy, Bernard Charles
Morgan, J. Lloyd (Carmarthen
Morton, Edw. J. C. (Devonport)
Moulton, John Fletcher
O'Brien, James F. X. (Cork)
O'Connor, James (Wicklow, W.
O'Connor, T. P. (Liverpool)
O'Dowd, John
O'Kelly, James
Oldroyd, Mark
O'Malley, William
Palmer, George Wm. (Reading)
Paulton, James Mellor
Pease, Joseph A. (Northumb.)
Pickersgill, Edward Hare
Pilkington, Sir G. A. (Lancs SW
Power, Patrick Joseph
Price, Robert John
Reckitt, Harold James
Richardson, J. (Durham, S. E.)
Roberts, John H. (Denbighshire
Robertson, Edmund (Dundee)
Shaw, Chas. Edward (Stafford
Sinclair, Capt. J. (Forfarsh.)
Smith, Samuel (Flint)
Soames, Arthur Wellesley
Souttar, Robinson
Spicer, Albert
Stevenson, Francis S.
Strachey, Edward
Sullivan, Donal (Westmeath)
Sullivan, T. D. (Donegal, W.)
Tanner, Charles Kearns
Thomas, Abel (Carmarthen, E.)
Trevelyan, Charles Philips
Ure, Alexander
Wallace, Robert
Walton, J. Lawson (Leeds, S.)
Walton, Joseph (Barnsley)
Wason, Eugene
Wedderburn, Sir William
Weir, James Galloway
Whiteley, George (Stockport)
Wills, Sir William Henry
Wilson, H. J. (York, W.R.)
Wilson, John (Govan)
Woods, Samuel
Young, Samuel (Cavan, East)

TELLERS FOR THE NOES.—Captain Donelan and Mr. Patrick O'Brien.

TITHE RENT-CHARGE (IRELAND) BILL.

Considered in Committee.

(In the Committee.)

[Mr. J. W. LOWTHER (Cumberland, Penrith) in the Chair.]

Clause 3:—

MR. DILLON (Mayo, E.): I confess that when I read, with great interest and satisfaction, the report of the debate in another place on Friday last,* I hoped we should to-night have the welcome announcement of the withdrawal of this Bill. Any Government with the feelings of ordinary human beings in their breasts would have been determined to withdraw the Bill, by the act of the Irish landlords, in selecting this instant to inflict upon them a humiliating defeat.

*See page 728 of this volume.

*THE CHAIRMAN: The hon. Member cannot discuss that matter. I called upon him to move an Amendment.

MR. DILLON: I will come to the Amendment, and I hope to find the Government in a more reasonable frame of mind than was the case last week. I trust they will consent to accept the Amendment I am about to move, for it appears to me to be an Amendment so manifestly reasonable, and so just on the face of it, that I do not understand how any argument can be used against it. The Government have decided not only to break up the settlement of 1872 and to make tithe rent-charges in Ireland once more variable, without offering to the Committee a single reason for making that great change, but they have decided to make them variable on a totally new principle. That principle is that they shall vary in accordance no longer with

the prices of agricultural produce, but with judicial rents. Is it unreasonable that I should ask, when they have decided so radically to alter the standard of variation, that that variation should be confined for the future to cases of tithe rent-charge which issue out of hereditaments in respect of which judicial rents have been fixed? I think it is hardly possible to imagine a more reasonable or logical Amendment than that. I can fortify my case in support of this Amendment by referring to that portion of the speech in which the right hon. Gentleman the Chief Secretary attempted to make a case of grievance in justification of this reduction of tithe rent-charge. There can be no doubt that the only attempt he made to justify this proposal was on the ground that the landlords' rents had been reduced. If that be the cause of this alteration—and we have listened in vain throughout these debates for any other alleged ground of justification—is it not manifest that the benefit of the change should be confined to cases in which the rents have been reduced? We who have followed the operation of the Irish Land Courts are aware that the application of the judicial rent sections of the Land Acts is confined strictly to certain classes of farms, and that there are large areas of land, including a great deal of the richest land in the country, which do not come under those sections at all. Are we to be told that a man who is deriving a large income from, say, grass farms, future tenancies, and so forth, or any of the various classes of farm which are specifically excluded from the judicial rent clauses of the Land Acts, is to obtain a reduction in his tithe rent-charge in proportion to the reduction of judicial rents on other holdings in which he has no financial interest, simply because of the grievance caused to his class by the reduction of judicial rents? That is a perfectly grotesque absurdity in the present Bill. If the right hon. Gentleman had proposed to break up the settlement of 1872 simply and solely by restoring the law as it then stood, something could be said for not going into the figures, and refusing to investigate the operation of the proposal. But the right hon. Gentleman is not proposing to recur to the condition of the law prior to 1872; he is deliberately proposing to apply to this tithe rent-charge a new standard of variation which will be infinitely more favourable to the landlords than the old standard. The case for this Amendment is greatly strengthened by the fact that, according to the landlords themselves, this new standard will do much more for them than the old system would do. I feel bound to say a few words on this point, because the right hon. Gentleman, in various speeches, has asserted that if the old system under which tithe rent-charge was variable were reverted to, the reduction would be greater than under the scheme now proposed. Let us hear what the landlords themselves have to say. Commenting on the remarks of the Chief Secretary in regard to certain Amendments proposed on Wednesday last, the *Daily Express*, the chief organ of the landlords, used this language—

"The enacting part of this arrangement is in Clause 3, Clause 2 merely directing preliminary steps. It was, however, opposed by the Nationalists, who desired that the industry of that noble body, the Land Commission, should be devoted to ascertaining something quite different, that is, the variation in prices of agricultural produce during that period. We say advisedly 'something quite different,' for it is notorious that the reduction in rent has been out of all proportion to the fall in agricultural values. The Nationalists have reason to know this better than anybody, as the difference has gone into their own pockets. Consequently they are in favour of setting up a standard which would justify reductions much less than that foreshadowed by Mr. Balfour's Bill."

Whether or not that is a correct view, it is the view of the landlords. It appears to me that this is an exceptional case, and therefore I trust the Government will without wasting time accept this Amendment, and let us proceed to other and more contentious matters. I beg to move.

Amendment proposed—

"In page 2, line 28, after the word 'hereditaments,' to insert the words 'in respect of which judicial rents have been fixed."—*Mr. Dillon.*

Question proposed, "That those words be there inserted."

THE CHIEF SECRETARY FOR IRELAND (Mr. G. W. BALFOUR, Leeds, Central) contended that the Amendment was wrong in principle and would be unfair in practice. It was wrong in principle because it assumed what he had again and again denied—that the Government were proposing to make tithe rent-charge variable because rents had been reduced. The

alteration in rents was taken merely as a measure. The Government did not say that tithes should be reduced because rents had been reduced, but they said that tithes should be made variable, and variable by a measure or standard better than that which had hitherto been in use. The Committee had decided that the standard to be adopted should be that proposed in the Bill, and now the hon. Member came forward and asked that that standard should be applied only in cases where rents had actually been fixed by the Land Commission. Why should the application of the standard be restricted to those cases? It was impossible to give any reason for such a restriction when once it was clearly appreciated that the alteration in rents was taken merely as a standard and a measure. The Amendment would also be grossly unfair in practice, because it would exempt from the operation of the clause lands which had every bit as much right to the benefit as those to which the clause would then apply.

MR. EDMUND ROBERTSON (Dundee): The right hon. Gentleman has again repeated the denial he has made on previous occasions, that the reduction of rents by the judicial process is the reason for this Bill. He says the reduction of rents is the measure of the relief proposed, but not the reason for proposing that relief. He asserts that as a member of the Government, having a knowledge superior to that possessed by hon. Gentlemen below the gangway. I accept his declaration with some difficulty, because I cannot reconcile it with the equally emphatic declaration made by members of the Cabinet in another place two or three days ago. In answer to a motion which expressly declared the grievances suffered by Irish landlords through legislation since 1881, and demanding relief for those grievances, the Duke of Devonshire stated that relief had already been provided, first, in the Purchase Acts; secondly, in the remission of rates to the extent of £316,000 a year; and then he went on to say in the same connection that—

"The measure now before the House of Commons will give landlords further relief of the same character."

Later on he said that—

"The Tithe Rent-Charge Bill now before the House of Commons shows a sympathetic spirit for a class and an interest which we believe to be in an unfortunate and difficult position"—

the unfortunate and difficult position being that which is created by legislation since 1881, which I suppose may be summed up in the reduction of rents by the judicial courts. How, in the face of that declaration, can it be maintained that the judicial reduction of rents is not the reason for, but only the measure of, this relief? I think as between those two statements, which are absolutely irreconcilable, I must accept that made by the superior authority, and therefore we are entitled —nay, we are bound—to regard the reduction of judicial rents as the reason as well as the measure. And what are the contradictions in which we are involved thereby? The right hon. Gentleman said, as if it was an argument on his own side, that all the land in Ireland is not subject to rents. I do not know much of the Irish land question, but I believe this is a fact—that the land of Ireland can be divided into three categories. There are the hereditaments not under rents, but which pay tithes; there are the hereditaments which are not under judicial rents which pay tithes; and there are those under judicial rents. How in the name of goodness can it be a reason for giving relief to the first two classes that the third are subject to a judicial process? Or how can you get a rational measure thereby? What reason can be assigned why this particular mode of reduction should be more rational than any other? When the variation depended on prices, you had a variable element which affected practically all the land of Ireland, but now you are selecting as your measure of variation an element which has no relation to two out of the three classes into which Irish land is divided. Therefore, whether regarded as a measure or as a reason, the proposal of the Government is one which cannot really be defended, and I shall be constrained to vote for the Amendment. I would warn the House against the introduction of these artificial measures. We had exactly the same question of artificiality in the Merchant Shipping Bill, and it is essential for those of us who want reasonable legislation in a matter of this sort to vote for the Amendment of my hon. friend.

MR. SWIFT MACNEILL (Donegal, S.) looked upon the Amendment as fair and equitable. The new standard of

variation should be confined exclusively to tenancies which had been affected by the conditions to which the new standard of variation was applicable. It was perfectly ridiculous to say that the tithe rent-charge of tenancies which had not been subjected to judicial rents should be subject to a measure of reduction which was the creation of the Land Acts from which those tenancies had been absolutely exempt. It might be, and it was, alleged that this new variation would work out some compensation to those whose property had been affected by the reduction of rents. Be it so; but how could the standard apply to those whose property had been as unaffected by any legislation of Mr. Gladstone's as they were before 1870? There was no use disguising the word. The Bill was an outrageous fraud. Under the Irish Church Act it was provided that the surplus of the Irish Church Fund should be applicable to charitable purposes or the relief of those who suffered distress. If they applied the reduction of tithes to land unaffected by the legislation of the last thirty years they were perpetrating a palpable fraud. What was the object of this Bill, and what was the reason for its introduction? If it was not for the relief of the landlords, why did they include in this system for the reduction of tithes the owners of land who, under no possibility whatever, had been affected by recent land legislation? If ever there was a fair and equitable Amendment it was that proposed by his hon. friend. Unfortunately, this Bill was to lay Members a Chinese puzzle, and it was very difficult to distinguish between the legal and technical terms with which it was draped. Could the right hon. Gentleman give any reason which would appeal to any fair-minded man why land which had never come under the operation of the Church Acts or of the Acts of 1870 and 1881 should be included in this clause? By including these lands which had not been subject to this law before, Parliament violated two distinct Acts of Parliament—the Church Act of 1869 and the Amending Act of 1872. There was not a shadow of a pretext for this proposal, which was purely the exercising of a dominant power. He believed in his heart and conscience that if the hon. Gentlemen opposite had taken the trouble to master this Bill, they would never have supported it.

Mr. Swift MacNeill.

Mr. FLYNN (Cork, N.) said that this Amendment proceeded actually on the lines of the clause itself, and on the lines upon which the Bill was originally framed and introduced. The Amendment really meant that if there were to be reductions or variations they should only be in respect of holdings of which the judicial rents had been fixed. Surely that was the line upon which the Bill was constructed and upon which the clause proceeded. He thought this was an Amendment which ought to be accepted. He did not think the Chief Secretary would hold that where a judicial rent had not been fixed there should be a variation and a reduction of tithe rent. The clause proposed that whether the judicial rent had been fixed or not, or whether there had been a reduction of rent or not, there should be a reduction of tithe-rent charge. It was perfectly hopeless for the right hon. Gentleman the Chief Secretary for Ireland to argue that this variation in tithe-rent charges did not aim at compensating landlords who had had their rents reduced by the Court. That case had been given away completely by the speech of the Duke of Devonshire in another place. He thought they were bound to take the noble Lord's declaration as the view of the Government. This Bill had been brought in to give relief to the landlords in cases where the rents had been reduced by judicial process. He wished to ask if they were now prepared to provide that the tithe rent-charges should be reduced to landlords in respect of holdings of which the judicial rents had not been fixed? Was the tithe rent-charge to be reduced on behalf of landlords where the rents had not been reduced at all? He understood that, roughly speaking, the judicial rents fixed in Ireland were very much less than 50 per cent of the whole. What became of the other 50 per cent.? There must be a large number of cases where the landlord and tenant came to an agreement, and where the tenant considered that he was not justified in seeking the protection of the Court. But even in those cases where the landlord had lost nothing and where the rent had not been reduced, he was to get the benefit of this clause just the same as those whose rents had been reduced, and also to the same extent. The class of tenants who at the passing of this Act were in arrears—which had been held

in terrorem over them—had never been able to get judicial rents fixed, and those arrears were held over them to prevent their seeking the benefit of the legislation. If the Committee did not accept this Amendment, the landlords to whom he had just referred would get the benefit of this clause just the same as those landlords where judicial rents had been fixed by the process of legislation. There was another large class at the present moment upon whom the landlord had reimposed the whole rent under Section 7 of the Act of 1887. They were still paying the old unreduced rents, and in tens of thousands of these cases the landlord would be entitled to the full amount of reduction on the tithe rent-charge. And why? Were they justly entitled to it? Nobody ever heard of such a hard-and-fast line. If they were bound to have some fixed rule, at any rate they should try and make it approach as near to justice as was possible, but nobody would argue that the reduction embodied and enshrined in this clause was either fair or equitable. They knew now that during the same period rents in Somersetshire had been reduced 35 per cent., whilst in Ireland the average was only about 15 per cent., and under those circumstances they were now proposing to give further relief to the landlords of Ireland. It was not sufficient for the representatives of the Government to make a few perfunctory remarks on the Bill, and then join in a conspiracy of silence, when they could not meet the arguments brought against their proposals. It would be more satisfactory if the Chief Secretary for Ireland declared that, no matter what case was made out, or whatever powerful arguments were brought forward, the Government did not intend to accept any Amendments; and the right hon. Gentleman might as well say bluntly, "Whether right or wrong, we shall accept no Amendments whatever to this clause."

MR. T. P. O'CONNOR (Liverpool, Scotland) said he quite agreed with his hon. friend who had just sat down that it would be a saving of time, and a much more regular and forward policy on the part of the Chief Secretary for Ireland, if he would abstain from offering any arguments or making any speeches in reply to the Amendments proposed, because it seemed quite clear that the right hon. Gentleman traversed not only the statement made by others who are members of the same Government in a higher and more responsible position than himself, but he even traversed his own statements. He was not surprised that the Chief Secretary should deny that this Bill was founded upon a reduction of rents. The right hon. Gentleman vehemently denied that, because he knew that if he came down to the Committee and said this Bill was based upon a reduction of rents he would be confronted with two difficulties. He would be confronted with the delaration of a Cabinet Minister in another place, and there would be the greater difficulty that if he came down to this House and defended this Bill on the ground of reduction of rents his case would be absolutely extirpated by the speech to which he had just alluded. How could the right hon. Gentleman put the case of exceptional hardship forward as a plea in favour of this Bill, in face of the fact that one of the greatest of Irish landlords and a Cabinet Minister had asserted that the landlords of Ireland were in an exceptionally favourable position as compared with the landlords of England? He was glad that this debate had at least elicited a great truth which they had been endeavouring for the last fifteen or twenty years to impress upon this country—namely, that in spite of agitation, and in spite of the legislation of the past twenty years in this House, they had not even succeeded in getting the rents in Ireland reduced in the same proportion as they had been reduced in England. In face of the confession made in another place by a Cabinet Minister that rents in England had been doubly reduced as compared with Ireland, he was not at all surprised that the right hon. Gentleman disclaimed altogether that the principle of this Bill was governed by the reduction of rents in Ireland. Upon this question the right hon. Gentleman was forgetful even of his own words. The Chief Secretary was almost driven to anger when the hon. Member for Dundee suggested that the reduction of rents had something to do with this Bill; but when his hon. and learned friend made that assertion he was only repeating what the right hon. Gentleman himself had said in a previous debate upon this Bill. That was his recollection of the debate, but since then he had consulted the records, and he found the report absolutely in

accord with his own recollection. In that speech the right hon. Gentleman said that he did not think the tithe rent-charge should be reduced because rents had been reduced, but he said the hardship of the situation was emphasised by the fact that rents had been compulsorily reduced. So that the right hon. Gentleman brought in the reduction of rent not as a sole reason for the reduction of tithes, although he said that the compulsory reduction emphasised the hardship. He admitted that the reduction of rents was at least a contributing cause, and it was considered a very potent reason for the reduction of tithes. Therefore his hon. and learned friend, when he declared that the reduction of rents was brought forward by the right hon. Gentleman as a reason for introducing this Bill, was strictly in accord with the statement made by the right hon. Gentleman himself. Therefore they arrived at this position: that this Bill had been brought forward, according to the right hon. Gentleman, partly because a grievance had been created in Ireland in regard to the tithes, by the compulsory reduction of rents. They were now face to face with the fact that the more the rents were reduced the greater relief would the landlords get under this Bill. Relief was now to be given with an equally liberal and bounteous hand to the landlords whose rents had been reduced judicially, and also to those whose rents had been reduced voluntarily. The right hon. Gentleman had stated that the rents had been compulsorily reduced. Yes, they had been reduced compulsorily in Ireland by about 16 per cent.; but during the same period the rents had been voluntarily reduced in England by 35 per cent. If the reduction of rent by judicial process was a hardship and entitled the landlords to a reduction of their tithes, all they asked for was that those landlords should be left out who had not reduced their rents. Those landlords had no complaint to make. Their rents had not been reduced at all, or if they had been reduced it was by voluntary process. His hon. friend proposed, by his Amendment, that, as the whole foundation of the Bill was practically based upon the compulsory reduction of rents by judicial process, those estates should not get relief where there had been no compulsory reduction. He put it to the hon. Members opposite, who understood the affairs of Ireland very well, whether they ought not to consider seriously how wide and far-reaching the effect of this proposal would be. There seemed to be a popular idea in the House that every single farm in Ireland had been brought before the Land Court, and that in every case the rent had been reduced. That was an entirely erroneous impression. He had not had the time to run through the figures exhaustively in the short time at his disposal, but he thought the Attorney General would confirm the figures which he would give, and which he had taken from the last Report of the Land Commission. He believed there were about 500,000 holdings in Ireland altogether; and what had happened in regard to them? Of this total 144,689 had been brought before the Land Commission and had had their rents reduced. In addition there had been 32,040 brought before other courts, and altogether 176,729 cases had been dealt with. To put it roughly, about 200,000 cases had been the subject of judicial process. What did that mean? If this Amendment was accepted the reduction of tithes would apply only in the case of these 200,000 holdings. In other words, the statistics showed that not one-half of the entire number of holdings in Ireland had been made the subject of legal process; and what the right hon. Gentleman proposed to do under this Bill was to give relief not to the 200,000 judicially-rented holdings, but also to the 300,000 which had never gone through any judicial process at all. He thought his hon. friend had made out a good case for this Amendment.

*SERJEANT HEMPHILL (Tyrone, N.): I think it is the bounden duty of every Irish Member to endeavour to inform the Committee as to the nature of this Amendment. It appears to me if the clause remains unamended that there cannot be a more arbitrary or illogical standard than that proposed by the right hon. Gentleman for reducing the tithe rent-charge. I will not repeat what has been so forcibly stated by my hon. friend who has just spoken, but I wish to emphasise the fact that in every county in Ireland there are three classes of tenants—namely, present tenants, whose rents have been subject to the orders of the Land Commission; future tenants, who are not within the purview of the Acts at all; and a great

number of tenants whose rents are moderate, who have reasonable landlords, and who are satisfied to pay on the old system. Why should you select one, and that the smallest class, as the standard by which all the tithes are to be reduced? There cannot be a more illogical or indefensible proposal. Tithes in England are revisable by a certain standard based on the price of corn.

*THE CHAIRMAN: The right hon. Gentleman is now entering upon a discussion which has already been disposed of.

*SERJEANT HEMPHILL: I will not pursue the point further. I was only about to remind the Committee what the existing standard in England is, because I am always glad, whenever I can, to adopt the procedure which obtains in this great country of England, with its great prosperity and its great wealth. Has any reason been assigned for this arbitrary standard? I could understand the argument, if the fact was so, although I would protest against it, that as all the rents in Ireland had been reduced by the action of the Land Commission, that universal reduction would be adopted as the standard for reducing the tithe rent-charge. There would be some substance in that argument, but it is wholly inconsistent and illogical to select this standard, especially when we recollect that, in the wisdom of Parliament, it was decided years ago that, as far as ecclesiastical tithe-rent was concerned, it should not be revisable at all.

MR. DOOGAN (Tyrone, E.) said, to his own knowledge, there were many tenants in Ireland who had not their rents reduced at all, because they had been kept out of the courts by the ingenuity of clever agents, who always allowed arrears to hang over them, and by that simple means prevented them from taking advantage of the Act. Would the landlords of these tenants have the same reduction as the landlords on whose estates fair rents had been fixed? He merely mentioned that to show the unfairness of the manner in which the spoil was to be distributed. There was another class of tenants in Ireland who were fairly satisfied with their rents, and who had certain turbary rights which they would lose if they went into the courts, and they preferred to keep those rights rather than lose them by having their rents reduced. He should like to know what the state of Ireland would have been had not Parliament compelled the Irish landlords to reduce the rents. A few weeks ago a very important English landlord told him that he had reduced his rents 75 per cent., which he said was the general reduction throughout England. Assuming that the Irish landlords had been as sympathetic with their tenants and as anxious to see their tenants thrive as English landlords were, the law would never have stepped in to compel them to reduce their rents. Morever, the English landlords made all the improvements, whereas the Irish landlords not only made no improvements, but charged an exorbitant rent to the tenant for the improvements he himself had made.

*THE CHAIRMAN: The hon. Member seems to me to be discussing the general land question.

MR. DOOGAN said he would put himself in order. He wanted to show that the element of the compulsory reduction of rent which was necessary in order to make landlords do their duty in Ireland should not be adopted as an argument for the reduction of tithe. The basis of the distribution of the money was unfair, because many landlords on whose estates no reductions had been made would benefit equally with landlords on whose estates the rents had been reduced. Under the Bill the landlords would get an enormous reduction, but if the Amendment were accepted they would still get a substantial reduction, though not to the extent now proposed. The limits of the question were very narrow. The proposed basis for the division of the money was erroneous, and would work unequally. He supported the Amendment because of the injustice that would be perpetrated if the Bill remained as it was.

MR. G. W. BALFOUR rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

The Committee divided:—Ayes, 179; Noes, 106. (Division List No.190.)

AYES.

Acland-Hood, Capt. Sir Alex F.
Allsopp, Hon. George
Anson, Sir William Reynell
Arrol, Sir William
Atkinson, Rt. Hon. John
Bailey, James (Walworth)
Baird, John Geo. Alexander
Balcarres, Lord
Balfour, Rt. Hon. A. J. (Manch'r
Balfour, Rt Hn Gerald W (Leeds
Banbury, Frederick George
Barry, Rt Hn A H Smith-(Hunts
Beach, Rt. Hn Sir M. H. (Bristol)
Beach, Rt. Hn. W. W. B. (Hants.
Bethell, Commander
Bhownaggree, Sir M. M.
Bigwood, James
Blakiston-Houston, John
Blundell, Colonel Henry
Boscawen, Arthur Griffith-
Bowles, T. Gibson (King's Lynn
Brassey, Albert
Brodrick, Rt. Hn. St. John
Butcher, John George
Carlisle, William Walter
Carson, Rt. Hon. Sir Edw. H.
Cavendish, V. C. W. (Derbys.
Cayzer, Sir Charles William
Cecil, Evelyn (Hertford, E.)
Cecil, Lord Hugh (Greenwich)
Chamberlain, Rt. Hon. J. (Birm
Chamberlain, J. Austen (Worc'r
Chaplain, Rt. Hon. Henry
Charrington, Spencer
Clare, Octavius Leigh
Cohen, Benjamin Louis
Collings, Rt. Hon. Jesse
Corbett, A. Cameron (Glasgow)
Cornwallis, Fiennes Stanley W.
Curzon, Viscount
Dalkeith, Earl of
Digby, John K. D. Wingfield-
Disraeli, Coningsby Ralph
Dixon-Hartland, Sir Fred. D.
Donkin, Richard Sim
Douglas, Rt. Hon. A. Akers-
Doxford, Sir William T.
Dyke, Rt. Hn. Sir William H.
Elliot, Hon. A. Ralph Douglas
Faber, George Denison
Fellowes, Hon. Ailwyn Edw.
Fergusson, Rt. Hn. Sir J (Manc'r
Finch, George H.
Finlay, Sir Robert Bannatyne
Firbank, Joseph Thomas
Fisher, William Hayes
FitzGerald, Sir Robert Penrose-
Fitz Wygram, General Sir F.
Flower, Ernest
Foster, Colonel (Lancaster)
Galloway, William Johnson
Garfit, William
Gedge, Sydney
Gibbs, Hn. A. G. H. (Cy of Lond.
Gibbs, Hn. Vicary (St. Albans)
Godson, Sir Augustus Fred.
Goldsworthy, Major-General
Gordon, Hon. John Edward
Gorst, Rt. Hn. Sir John Eldon
Goschen, Rt. Hn. G. J. (St. Geo's
Goulding, Edward Alfred
Green, Walford D. (Wednesb'y
Greene, Henry D. (Shrewsbury)
Greville, Hon. Ronald
Gull, Sir Cameron
Halsey, Thomas Frederick
Hamilton, Rt. Hon. Lord Geo.
Hanbury, Rt. Hn. Robert W.
Hanson, Sir Reginald
Hatch, Ernest Frederick Geo.
Heath, James
Heaton, John Henniker
Helder, Augustus
Henderson, Alexander
Hermon-Hodge, Robert T.
Hoare, Sir Samuel (Norwich)
Howard, Joseph
Howorth, Sir Henry Hoyle
Hudson, George Bickersteth
Hughes, Colonel Edwin
Hutchinson, Capt. G. W. Grice-
Hutton, John (Yorks, N.R.)
Jeffreys, Arthur Frederick
Kenyon-Slaney, Col. William
Keswick, William
Kimber, Henry
King, Sir Henry Seymour
Knowles, Lees
Lafone, Alfred
Laurie, Lieut.-General
Lawrence, Sir E. Durning-(Corn
Lawson, John Grant (Yorks.)
Lecky, Rt. Hon. Wm. E. H.
Llewelyn, Sir Dillwyn-(Sw'ns'a
Loder, Gerald Walter Erskine
Long, Rt. Hon. W. (Liverpool
Lopes, Henry Yarde Buller
Lowles, John
Loyd, Archie Kirkman
Lyttelton, Hon. Alfred
Macartney, W. G. Ellison
M'Iver, Sir L. (Edinburgh, W.
M'Killop, James
Malcolm, Ian
Marks, Henry Hananel
Massey-Mainwaring, Hn. W. F.
Melville, Beresford Valentine
Meysey-Thompson, Sir H. M.
Middlemore, John T.
Milner, Sir Frederick George
Milward, Colonel Victor
Monckton, Edward Philip
Monk, Charles James
Moore, William (Antrim, N.)
More, Robert J. (Shropshire)
Morgan, Hon. F. (Monm'thsh.
Morrell, George Herbert
Morton, Arthur H. A (Deptford)
Mount, William George
Muntz, Philip A.
Murray, Rt Hn A. Graham (Bute
Myers, William Henry
Nicol, Donald Ninian
O'Neill, Hon. Robert Torrens
Parkes, Ebenezer
Penn, John
Percy, Earl
Phillpotts, Captain Arthur
Pilkington, R. (Lancs Newton)
Pretyman, Ernest George
Purvis, Robert
Pym, C. Guy
Rankin, Sir James
Rasch, Major Frederick Carne
Remnant, James Farquharson
Ridley, Rt. Hn. Sir Matthew W.
Ritchie, Rt. Hn. Chas. Thomson
Robertson, Herbert (Hackney)
Round, James
Russell, T. W. (Tyrone)
Sandys, Lt.-Col. Thos. Myles
Saunderson, Rt Hn. Col. Edw. J.
Seton-Karr, Henry
Sharpe, William Edward T.
Sidebotham, J. W. (Cheshire)
Sidebottom, William (Derbsh.)
Smith, Abel H. (Christchurch)
Smith, James Parker (Lanarks.
Smith, Hon. W. F. D. (Strand)
Spencer, Ernest
Stanley, Edward J. (Somerset)
Stewart, Sir Mark J. M'Taggart
Stone, Sir Benjamin
Thornton, Percy M.
Tomlinson, Wm. Edw. Murray
Tritton, Charles Ernest
Warde, Lt.-Col. C. E. (Kent)
Warr, Augustus Frederick
Williams, Colonel R. (Dorset)
Williams, Joseph P. (Birm.)
Willoughby de Eresby, Lord
Wilson, John (Falkirk)
Wilson, J. W. (Worcestersh., N.
Wodehouse, Rt. Hn. E. R. (Bath
Wortley, Rt. Hon. C. B. Stuart-
Wylie, Alexander
Wyn ham, George
Wyvill, Marmaduke D'Arcy

TELLERS FOR THE AYES—
Sir William Walrond and
Mr. Anstruther.

NOES.

Abraham, William (Cork, N. E.
Allison, Robert Andrew
Asquith, Rt Hn. Herbert Henry
Atherley-Jones, L.
Austin, M. (Limerick, W.)
Baker, Sir John
Beaumont, Wentworth C. B.
Billson, Alfred
Birrell, Augustine
Blake, Edward
Bryce, Rt. Hon. James
Buchanan, Thomas Ryburn
Burns, John
Caldwell, James
Cameron, Sir Chas. (Glasgow)
Campbell-Bannerman, Sir H.
Carew, James Laurence
Cawley, Frederick
Channing, Francis Allston
Colville, John
Crilly, Daniel
Crombie, John William
Curran, Thomas B. (Donegal)
Curran, Thomas (Sligo, S.)
Dalziel, James Henry
Davies, M. Vaughan-(Cardigan
Dilke, Rt. Hon. Sir Charles

Dillon, John
Doogan, P. C.
Dunn, Sir William
Emmott, Alfred
Evans, Sir Francis H (South'ton
Fitzmaurice, Lord Edmond
Flavin, Michael Joseph
Flynn, James Christopher
Goddard, Daniel Ford
Haldane, Richard Burdon
Hayne, Rt. Hon. Charles Seale-
Hazell, Walter
Hedderwick, Thomas Chas. H.
Hemphill, Rt. Hon. Charles H.
Hogan, James Francis
Holland, William Henry
Horniman, Frederick John
Jameson, Major J. Eustace
Kearley, Hudson E.
Lawson, Sir W. (Cumb'land)
Leese, Sir J. F. (Accrington)
Leng, Sir John
Lewis, John Herbert
Lough, Thomas
Macaleese, Daniel
MacDonnell, Dr. MA (Q'n's C.)
MacNeill, John Gordon Swift
M'Arthur, William (Cornwall)
M'Crae, George
M'Dermott, Patrick
M'Ghee, Richard
M'Hugh, Patrick A. (Leitrim)
M'Leod, John
Mandeville, J. Francis
Molley, Bernard Charles
Morgan, J. Lloyd (Carmarthen)
Moulton, John Fletcher
O'Brien, James F. X. (Cork)
O'Brien, Patrick (Kilkenny)
O'Connor, James (Wicklow, W.
O'Connor, T. P. (Liverpool)
O'Dowd, John
O'Kelly, James
Oldroyd, Mark
O'Malley, William
Pease, Joseph A. (Northumb.)
Philipps, John Wynford
Pilkington, Sir G. A. (Lancs S. W
Power, Patrick Joseph
Price, Robert John
Reckitt, Harold James
Roberts, John H. (Denbighs.)
Robson, William Snowdon
Scott, Chas. Prestwich (Leigh)
Shaw, Charles Edw. (Stafford)
Sinclair, Capt. J. (Forfarshire)
Smith, Samuel (Flint)
Soames, Arthur Wellesley
Souttar, Robinson
Spicer, Albert
Stanhope, Hon. Philip J.
Steadman, William Charles
Stevenson, Francis S.
Sullivan, Donal (Westmeath)
Sullivan, T. D. (Donegal, W.)
Tanner, Charles Kearns
Tennant, Harold John
Thomas, Abel (Carmarthen, E.)
Trevelyan, Charles Philips
Walton, Joseph (Barnsley)
Wason, Eugene
Weir, James Galloway
Williams, John Carvell (Notts.)
Wills, Sir William Henry
Wilson, Hy. J. (York, W. R.)
Wilson, John (Govan)
Woods, Samuel
Young, Samuel (Cavan, East)
Yoxall, James

TELLERS FOR THE NOES—
Sir Thomas Esmonde and
Captain Donelan.

Question put accordingly, "That those words be there inserted."

The Committee divided :—Ayes, 105 ; Noes, 177. (Division List No. 191.)

AYES.

Abraham, William (Cork, N.E.
Allison, Robert Andrew
Asquith, Rt. Hon. Herbert H.
Atherley-Jones, L.
Austin, M. (Limerick, W.)
Baker, Sir John
Beaumont, Wentworth, C. B.
Billson, Alfred
Birrell, Augustine
Blake, Edward
Bryce, Rt. Hn. James
Buchanan, Thomas Ryburn
Burns, John
Caldwell, James
Campbell-Bannerman, Sir H.
Carew, James Laurence
Cawley, Frederick
Channing, Francis Allston
Colville, John
Crilly, Daniel
Crombie, John William
Curran, Thomas (Sligo, S.)
Dalziel, James Henry
Davies, M. Vaughan-(Cardigan
Dilke, Rt. Hon. Sir Charles
Dillon, John
Doogan, P. C.
Dunn, Sir William
Engledew, Charles John
Evans, Sir F. H. (Southampton)
FitzMaurice, Lord Edmond
Flavin, Michael Joseph
Flynn, James Christopher
Goddard, Daniel Ford
Hayne, Rt. Hon. Charles Seale-
Hazell, Walter
Hedderwick, Thomas Chas. H.
Hemphill, Rt. Hn. Charles H.
Hogan, James Francis
Holland, William Henry
Horniman, Frederick John
Jameson, Major J. Eustace
Kearley, Hudson E.
Lawson, Sir Wilfrid (Cum'land
Leese, Sir Joseph F. (Accrington
Lewis, John Herbert
Lough, Thomas
Macaleese, Daniel
MacDonnell, Dr. M. A. (Q'n'sC.
MacNeill, John Gordon Swift
M'Arthur, William (Cornwall)
M'Crae, George
M'Dermott, Patrick
M'Ghee, Richard
M'Hugh, Patrick A. (Leitrim)
M'Laren, Charles Benjamin
M'Leod, John
Mandeville, J. Francis
Molloy, Bernard Charles
Morgan, J. Lloyd (Carmarthen)
Moulton, John Fletcher
O'Brien, James F. X. (Cork)
O'Brien, Patrick (Kilkenny)
O'Connor, James (Wicklow, W.
O'Connor, T. P. (Liverpool)
O'Dowd, John
O'Kelly, James
Oldroyd, Mark
O'Malley, William
Pease, Joseph A. (Northumb.)
Philipps, John Wynford
Pickersgill, Edward Hare
Pilkington, Sir G. A. (Lancs SW
Power, Patrick Joseph
Price, Robert John
Reckitt, Harold James
Rickett, J. Compton
Roberts, John H. (Denbighs.)
Robson, William Snowdon
Scott, Chas. Prestwich (Leigh
Shaw, Charles E. (Stafford)
Sinclair, Capt. John (Forfarsh.
Soames, Arthur Wellesley
Souttar, Robinson
Spicer, Albert
Stanhope, Hon. Philip J.
Steadman, William Charles
Stevenson, Francis S.
Sullivan, Donal (Westmeath)
Sullivan, T. D. (Donegal, W.)
Tanner, Charles Kearns
Tennant, Harold John
Thomas, A. (Carmarthen, E.)
Trevelyan, Charles Philips
Wallace, Robert
Walton, Joseph (Barnsley)
Wason, Eugene
Weir, James Galloway
Williams, John Carvell (Notts
Wills, Sir William Henry
Wilson, Henry J. (York, W.R.
Wilson, John (Durham, Mid.)
Woods, Samuel
Young, Samuel (Cavan, East)
Yoxall, James Henry

TELLERS FOR THE AYES—
Sir Thomas Esmonde and
Captain Donelan.

NOES.

Allsopp, Hon. George
Anson, Sir William Reynell
Arrol, Sir William
Atkinson, Rt. Hon. John
Bailey, James (Walworth)
Baird, John Geo. Alexander
Balcarres, Lord
Balfour, Rt. Hon. A. J. (Manch'r
Balfour, Rt Hn Gerald W (Leeds)

Banbury, Frederick George
Barry, Rt Hn A H Smith-(Hunts
Beach, Rt Hon Sir M. H. (Bristol)
Beach, Rt. Hn. W. W. B (Hants.
Bethell, Commander
Bhownaggree, Sir M. M.
Bigwood, James
Blakiston-Houston, John
Blundell, Colonel Henry
Boscawen, Arthur Griffith-
Bowles, T. Gibson (King's Lynn)
Brassey, Albert
Brodrick, Rt. Hon St. John
Butcher, John George
Carlile, William Walter
Carson, Rt. Hon. Sir. Edw. H.
Cavendish, V. C. W. (Derbys.
Cayzer, Sir Charles William
Cecil, Evelyn (Hertford, East)
Cecil, Lord Hugh (Greenwich)
Chamberlain, Rt. Hon. J. (Birm
Chamberlain, J Austen (Worc'r
Chaplin, Rt. Hon. Henry
Charrington, Spencer
Clare, Octavius Leigh
Cohen, Benjamin Louis
Collings, Rt. Hon. Jesse
Corbett, A. Cameron Glasgow)
Cornwallis, Fiennes Stanley W.
Curzon, Viscount
Dalkeith, Earl of
Digby, John K. D. Wingfield-
Disraeli, Coningsby Ralph
Dixon-Hartland, Sir F. Dixon
Donkin, Richard Sim
Douglas, Rt. Hon. A. Akers-
Doxford, Sir William Theodore
Dyke, Rt. Hon Sir William Hart
Elliot, Hon. A. Ralph Douglas
Faber, George Denison
Fellowes, Hon. Ailwyn Edward
Fergusson, Rt. Hn. Sir J (Manc'r
Finch, George H.
Finlay, Sir Robert Bannatyne
Firbank, Joseph Thomas
Fisher, William Hayes
FitzGerald, Sir Robert Penrose-
FitzWygram, General Sir F.
Flower, Ernest
Foster, Colonel (Lancaster)
Foster, Harry S. (Suffolk)
Galloway, William Johnson
Garfit, William
Gedge, Sydney
Gibbs, Hn A. G. H. (City of Lond.
Gibbs, Hon. Vicary (St. Albans)
Godson, Sir Augustus Frederick
Goldsworthy, Major-General
Gordon, Hon. John Edward
Gorst, Rt. Hon. Sir John Eldon
Goschen, Rt Hn G J (St. George's
Goulding, Edward Alfred
Green, Walford D (Wednesbury
Greene, Henry D. (Shrewsbury)
Greville, Hon. Ronald
Gull, Sir Cameron
Halsey, Thomas Frederick
Hamilton, Rt. Hon. Lord George
Hanbury, Rt. Hon. Robert Wm.
Hanson, Sir Reginald
Hatch, Ernest Frederick Geo.
Heaton, John Henniker
Helder, Augustus
Henderson, Alexander
Hermon-Hodge, Robert T.
Hoare, Sir Samuel (Norwich)
Howard, Joseph
Howorth, Sir Henry Hoyle
Hudson, George Bickersteth
Hughes, Colonel Edwin
Hutchinson, Capt. G. W. Grice-
Hutton, John (Yorks, N.R.)
Jeffreys, Arthur Frederick
Kenyon-Slaney, Col. William
Keswick, William
Kimber, Henry
King, Sir Henry Seymour
Knowles, Lees
Lafone, Alfred
Laurie, Lieut.-General
Lawrence, Sir E. Durning-(Corn
Lawson, John Grant (Yorks.)
Lecky, Rt. Hn. William E. H.
Llewelyn, Sir Dillwyn (Swansea
Loder, Gerald Walter Erskine
Long, Rt. Hon. W. (Liverpool)
Lopes, Henry Yarde Buller
Lowles, John
Loyd, Archie K rkman
Lyttelton, Hon. Alfred
Macartney, W. G. Ellison
M'Iver, Sir L. (Edinburgh, W.)
M'Killop, James
Malcolm, Ian
Marks, Henry Hananel
Meysey-Mainwaring, Hn. W. F.
Melville, Beresford Valentine
Meysey-Thompson, Sir H. M.
Middlemore, John Throgmort'n
Milner, Sir Frederick George
Milward, Colonel Victor
Monckton, Edward Philip
Monk, Charles James
Moore, William (Antrim, N.)
More, Robt. Jasper (Shropshire)
Morgan, Hon. F. (Monm'thsh.
Morrell, George Herbert
Morton, A. H. A. (Deptford)
Mount, William George
Muntz, Philip A.
Murray, Rt Hn A Graham (Bute
Myers, William Henry
Nicol, Donald Ninian
O Neill, Hon. Robert Torrens
Parkes, Ebenezer
Penn, John
Percy, Earl
Phillpotts, Captain Arthur
Pilkington, Rich (Lancs Newt'n
Pretyman, Ernest George
Purvis, Robert
Pym, C. Guy
Rankin, Sir James
Rasch, Major Frederic Carne
Remnant, James Farquharson
Ridley, Rt. Hn. Sir Matthew W.
Ritchie, Rt. Hn. Chas. Thomson
Robertson, Herbert (Hackney
Round, James
Russell, T. W. (Tyrone)
Sandys, Lieut.-Col. T. Myles
Saunderson, Rt Hn. Col. Edw. J.
Seton-Karr, Henry
Sharpe, William Edward T.
Shaw-Stewart, M. H. (Renfrew
Sidebotham, J. W. (Cheshire)
Sidebottom, William (Derbysh.
Smith, Abel H. (Christchurch)
Smith, James Parker (Lanarks.
Smith, Hn. W. F. D. (Strand
Spencer, Ernest
Stewart, Sir Mark J. M'Taggart
Stone, Sir Benjamin
Thornton, Percy M.
Tomlinson, Wm. Edw. M.
Tritton, Charles Ernest
Warde, Lieut.-Col. C. E. (Kent)
Warr, Augustus Frederick
Williams, Colonel R. (Dorset)
Williams, Jos. Powell-(Birm.
Willoughby de Eresby, Lord
Wilson, John (Falkirk)
Wilson, J. W. (Worcestersh. N.)
Wodehouse, Rt. Hn. E. R. (Bath
Wortley, Rt. Hn. C. B. Stuart-
Wylie, Alexander
Wyndham George
Wyvil, Marmaduke D'Arcy

TELLERS FOR THE NOES—
Sir William Walrond and
Mr. Anstruther.

MR. DILLON: I do not propose to move my next Amendment on the Paper, as it refers back to a point in Clause 2 which has already been decided. I, however, propose to move the Amendment standing in the name of the hon. and learned Member for North Louth, which is—

"In Clause 3, page 2, line 35, after 'accordingly,' to insert, 'provided that any such tithe rent-charge payable to the Land Commission shall not be deemed to be so varied to a greater amount than that in which the rents payable to the person by whom such tithe rent-charge is payable in respect of the hereditaments out of which the same is payable have been varied by the fixing of judicial rents as aforesaid."

*THE CHAIRMAN: I think that Amendment is out of order. It raises points which the Committee have already decided. For instance, in regard to the Land Commission the Committee have already decided to draw no distinction between tithe rent-charge payable to the

Land Commission and that payable to the lay impropriators; and the Committee have just decided to draw no distinction between those who have to pay tithe rent-charge who are in receipt of judicial rents and those who are not.

MR. DILLON: I have studied this matter very carefully, and I confess, with all submission, that I do not accept the interpretation which you, Mr. Lowther, put on the effect of the Amendment on other clauses. In the first place, this proposal is not to make the tithe rent-charge payable to the Land Commission invariable, as the previous Amendment did, but it is a proviso that there should be some distinction between the tithe rent-charge payable to the Land Commission and that payable to lay impropriators. The previous Amendment would have cut the tithe rent-charge payable to the Land Commission completely out of the clause. The question raised by the latter portion of the Amendment is totally different, though somewhat analogous — namely, that the advantage given to individuals participating in these results should be proportioned to their receipt of judicial rents. I will put a case which I know personally. A man is the owner of an estate of which one half is left tenantless, and in respect of which he loses a portion of his income. The other half is let to another man. Now, the judicial rents of the whole estate are affected, but the man who is compelled to pay tithe rent-charge on the whole estate loses his income in respect of half. The point of this Amendment is that he should only get the benefit of the reduction in respect of half the rent-charge.

*THE CHAIRMAN: I followed the argument of the hon. Gentleman, and I think I also understand his Amendment. It seems to me that the Committee decided on Thursday last that no distinction will be made between tithe rent-charge payable to the Land Commission and tithe rent-charge payable to lay impropriators. As to the second part of the Amendment, the Committee have just decided that no distinction will be made between those persons whose rents have been judicially fixed and those whose rents have not been judicially fixed. The Amendment raises the same two questions again. For these reasons I ask the hon. Member to move the next Amendment.

MR. DILLON: I beg to move to leave out Sub-section 2 of Clause 3. This sub-section provides for the carrying forward the variation according to judicial rents to each succeeding period of fifteen years, and thereby emphasises the evil consequences of this proposed Act. I am not at all surprised that the Chief Secretary said he utterly denied that this provision for reducing tithe rent-charge according to judicial rents was based upon the fall in rents—although I was amazed at his courage in saying so—because if he had adhered to the position he took up in introducing the Bill, it would have been absolutely impossible for him to have resisted the last Amendment. The right hon. Gentleman, in introducing the Bill last year, said—

> "It must be remembered that the charge is a charge upon rents, and while rents have been greatly reduced under the supervision of a state tribunal the rent-charge can no longer be varied. While I am not prepared to place this grievance in the same category with the first-mentioned, I do think a hardship has been inflicted on the tithe-payer to which it would be desirable to apply a remedy, if a reasonable remedy can be found."*

I maintain that there is no meaning in that sentence at all if it does not mean that the grievance of the landlords was the reduction of rents in Ireland. Twenty-eight years ago the landlords of Ireland agreed to make the tithe rent-charge invariable, and no reason has been given for a change in that settlement, except that the landlords have a grievance. But we are entitled to demand some explanation and definition of the nature of the grievance. According to the statement in the *Dublin Daily Express*, the landlords themselves admit that the standard, of which this sub-section of Clause 3 is a most vicious continuance, is one giving to them a far greater reduction than they would have got under the old law. Admitting for the sake of argument that the landlords had a grievance—which I most certainly deny—no reason has been brought forward on behalf of the Government to show that the injustice should be remedied, not according to the old law, but according to a new and unheard of standard which will give the landlords a vastly greater reduction than under the old law. I assert, without fear of contradiction, that from the first introduction of the Bill down to this hour, no attempt has been

*See *The Parliamentary Debates* [Fourth Series], Vol. lxxi., page 494.

made to justify that change. This sub-section asks us to accept this vicious principle, and carry it on to successive periods of fifteen years, and the Government afford us no information as to what the reductions may amount to in the future, whether twenty, thirty, or fifty per cent. I move to omit the sub-section because I believe it to be an illimitable application of an extremely unjust and vicious principle, and because it is a leap in the dark, the effect of which is absolutely uncertain.

Amendment proposed—

"In page 2, line 36, to leave out Sub-section 2."—(*Mr. Dillon.*)

MR. FLYNN, in supporting the Amendment, maintained that the House was entitled to know what was to become of the Church Fund thirty or forty years hence. Where did the matter stand if, after the expiry of fifteen years, when this provision was put into force, it was found that there was a further and dangerous incursion into the coffers of the Church Fund? The grants to the Agricultural Board and the Congested Districts Board and other grants were all thrown upon the Irish Church Fund, and yet the Government, not content with throwing all those charges upon it, were going a step further. How would the matter stand if at the end of thirty years the fund was put into such a condition that it could not meet its engagements? Would it not be better to allow the clause to run for fifteen years only? Then, if it was necessary, a further Bill could be introduced for another fifteen years. Under Sub-section 2 as it at present stood steps were being taken which would seriously imperil the Irish Church Fund; that was a very serious matter. This sub-section set up a very dangerous principle. With regard to the Land Act they knew to an extent where they were; that the average reductions which had been made since 1881 could be pretty well ascertained; but when Sub-section 2 came to be considered they were dealing with a hypothetical set of figures. Let the Committee assume for a moment that, owing to the increased importation of foreign produce, prices continued to decline; the reductions for the second period of fifteen years would be much greater than the reductions during the first period, and that would make a still further incursion into the Church Fund, which might render it unable to perform its obligations. It might be said that these results could not occur, but in all probability they would occur. If they did, was the reduction of the judicial rents to go on with the reduction of tithes, and, if so, why? So far as the Government was concerned, no argument urged against the sub-section made the slightest impression, and it was a significant commentary upon this piece of legislation that upon the only Irish Bill of the session there was not a single member representing the Treasury present to safeguard the Irish Church Fund. Irish Members had long ceased to look to the Chief Secretary to safeguard any Irish fund, but they had hoped, if this step was to be taken with regard to the first fifteen years after the passing of the Act, it would have been limited to that, and the Government might then be left to deal with the condition of things which might then arise. Even at the eleventh hour he hoped the right hon. Gentleman would reconsider the position with regard to Sub-clause 2, and make some slight concession in a clause which bristled with difficulties.

*SERJEANT HEMPHILL joined in the appeal to the right. hon. Gentleman to leave out the sub-clause. It was a most reasonable suggestion that the experiment should not be made perpetual, and by leaving out the sub-clause it would always be open to the Legislature to say whether this legislation should at the end of fifteen years be renewed or not. He desired to call the attention of the Committee to the fact that this particular clause applied to both ecclesiastical and lay tithes. They already knew that during the last fifteen years in many parts of Ireland rents had been greatly reduced—33⅓ per cent. in some instances; and the effect of this sub-clause would be to whittle away the ecclesiastical tithe rent-charge to a very great extent. The Government did not appear to apprehend the fact that this was a leap in the dark; the Church Fund itself was nothing more than the accumulation of the revenue of the tithe rent-charge, which amounted to some £200,000 a year. It was the only fund existing to pay the costs of all the charitable Acts of Parliament passed for the benefit of Ireland, which, if that fund was whittled down, would all fall upon the Exchequer. Under those circum-

stances, why perpetuate a state of things until it was found whether it was right or wrong? With regard to the lay tithes, he had put a question to the right hon. Gentleman, in order to prepare for this discussion, asking for information as to the amount of the lay tithes. The attitude which the right hon. Gentleman took up was that the Government had no means of ascertaining the amount of the lay tithes, which was quite possible and reasonable, seeing that the lay tithes were private property. But the revenue from the lay tithes I have heard stated to amount to £140,000 or £150,000 a year, and that was private property and dealt with as such, yet a perpetual clause was introduced into the Bill which might whittle that down to nothing if prices continued to fall and depression continued to exist for the next fifteen years, because that would necessitate further reductions. The Committee really did not realise how far-reaching the evil might be, and he hoped under the circumstances the right hon. Gentleman would accept the Amendment.

MR. G. W. BALFOUR, who was very indistinctly heard, was understood to say that he had been attacked for not having given the reasons for this clause. He had given his reasons more than once, but he invariably found that, when he had sat down, hon. Gentlemen jumped up and asked for them again. He would, therefore, confine himself entirely to the question of whether the variations which the Committee had decided should take place during fifteen years should be continued for a further period. The only argument urged against that was the effect which this provision would have on the Church Fund. But in the Memorandum made in the previous year allowance was made for a further increase in the average reduction of rents in Ireland to the extent of from 20 to 30 per cent. He did not himself look forward to an indefinite series of reductions in the rents of Irish land. Those reductions, of course, must depend principally upon the fall of prices, but he did not think that they might look forward seriously for a very long time to come to reductions taking place that would impoverish the Church Fund to anything like the extent which the hon. and learned Member anticipated. Taking all reductions into account, the Church Fund would suffice to meet all the burdens upon it up to 1947, and even after that would be able to afford a large sum annually to the Department of Agriculture. Under those circumstances he thought he might fairly say that no serious danger need be apprehended to any of the purposes for which the Church Fund was security for the next generation, and if after thirty years the Church Fund should prove unequal to the burden of £70,000 for the Agricultural Department, that would be subject to such revision as the Treasury might deem necessary. But, for a generation at least, certainly the Church Fund would meet all its liabilities. If such an improbable contingency should arise that the fund could not bear the £70,000 for the Agricultural Department, it would be for Parliament to consider how the deficiency should be met.

MR. JAMES O'CONNOR (Wicklow, W.) said that his objection to the clause was that by it a perpetual arrangement was made by which the landlords were really made the possessors and manipulators of the Irish Church Fund. He thought the operation of the sub-section should be restricted to the next fifteen years. If that were done it might be considered a reasonable modification of the clause. That the landlords were to be the possessors of the Church Fund in perpetuity was not reasonable, and he hoped therefore that the right hon. Gentleman would limit the operation of the clause to fifteen years.

MR. T. P. O'CONNOR said that the hon. Gentleman who had just sat down had put the case fairly and succinctly. This Bill, like a great many other measures passed for Ireland by English legislators, cursed him that gave and him that received. He had heard that it would not benefit the Irish landlords to any great extent. Only about £40,000 would go into their pockets. That amount distributed amongst a great many landlords would only result in a very small sum for each—so small that it reminded one of the story of the man who, during the revolution of 1848, went to Lord Rothschild and said all men are brothers, and demanded his share of wealth. Lord Rothschild gave him 10 centimes, and said that if he gave all his brothers a like amount it was more than they ought.

to receive. The result to the individual would be small. At the same time, £40,000 would be a serious peril to the fund. The Agricultural Board had £70,000 which they devoted to agriculture. It was a large sum, but the good which they were able to do with it in benefiting the various districts was very large indeed. In this Bill the right hon. Gentleman ran the risk of interfering with the good work done by this Board, simply in order to put an infinitesimal contribution into the pockets of the Irish landlords. That alone was a sufficient condemnation of the clause. He did not understand how the right hon. Gentleman could be precluded from accepting the Amendment of his hon. friend. It would not interfere with the working of the Bill, and by adopting the Amendment no new precedent would be created, because in the Irish Agricultural Rating Bill, passed a few sessions previously, a similar limitation was imposed. After a Parliamentary inquiry, the Government consented to limit the operation of that Act to five years. He hoped, therefore, in the present case the right hon. Gentleman would see his way to comply with the reasonable request of the Irish Members to limit this measure not for five years or even ten, but for fifteen years, which could not be considered not to be a reasonable time to give for the experiment. This clause meant that the landlords would hold a perpetual mortgage over the Church Fund. In Ulster he found that the reduction in the second statutory term—that was to say, the reduction not on the original rents, but the reduced rents—was in Antrim 25 per cent. and Fermanagh 24 per cent. The average reduction in the province of Ulster was 25 per cent., in the province of Leinster 24·3, in the province of Connaught 23·8, and in the province of Munster 21·3. He might interject the observation that the more he went into the question of rent reduction in Ireland the more convinced was he that the farmers who had suffered most from exorbitant and unconscionable rack-renting were those of the loyal Unionist province of Ulster, for whom the right hon. and gallant Gentleman the Member for North Armagh and other such gentlemen were the advocates in that House. It was now near the dinner hour, and he hoped his congratulations might aid the appetite of the right hon. and gallant Gentleman. He congratulated the Member for North Armagh on the extraordinary political adroitness by which the landlords of Ulster had been able to convince the loyal but violently rack-rented farmers of that province that they were doing so exceedingly well by their English connection. The reduction of 25 per cent. in the second statutory term, added to the reduction in the first statutory term in Ulster, made altogether something like 45 to 50 per cent. If that was to go on what was to become of the Irish Church Fund? The right hon. Gentleman the Chief Secretary had come to the extraordinary conclusion that the reduction of rents in Ireland had come to an end. How did he know?

MR. G. W. BALFOUR remarked that reductions could not go on for ever.

MR. T. P. O'CONNOR hoped the right hon. Gentleman would be in office in another House of Commons—which was at least possible—and that he would bring in a measure which would abolish rent altogether in the greater part of Ireland by a judicious and fair system of compulsory land purchase. That was, perhaps, what the right hon. Gentleman had in his mind, and to that extent he agreed with him that these reductions could not go on for ever. At the same time they saw no sign of that step now. The causes which had produced the present reduction of rent were still going on. What he might almost call the wickedness of this Bill practically was that it might, by the redemption of tithes, reduce to the vanishing point that magnificent fund which was doing such wonderful work in Ireland. While this clause perpetuated what they regarded as an injury, it would not have the effect the right hon. Gentleman anticipated. If the right hon. Gentleman had any hallucination that this clause, or any other clause, would have the effect of stopping the mouths and the demands of the landlords of Ireland, he must have come to that conclusion within the last six or seven days. At the very moment when he was pushing this Bill through the House, the landlords of Ireland defeated his colleagues in another place. In pushing this Bill the right hon. Gentleman was using precious Parliamentary time—time which the Leader of the House found so valuable that he was not

able to give it to any measure called contentious in any sense of the word—time so valuable that the children of the country could not be relieved from the tyranny of wicked and unprincipled parents who sent them to the public-house. At the very moment when the right hon. Gentleman was wasting Parliamentary time by pushing this Bill through the House, his friends and protégés were bringing in their claim for another piece of impossible relief in another House. This Bill would have the effect of doing great injustice to the tenantry of Ireland. it would seriously impede the best and the only good Department in Ireland, and at the same time it would bring no peace or satisfaction to the class it was intended to benefit.

MR. G. W. BALFOUR was understood to say that the conclusion the hon. Member had come to in regard to the effect of the redemption of tithes on the Church Fund was not in accordance with his own expectation.

MR. POWER (Waterford, E.) complained that the provisions of the Bill were so complicated, and the information supplied so meagre, that it was difficult to form any true idea of the effects of the measure.

Attention called to the fact that forty Members were not present (Dr. TANNER, Cork County, Mid). House counted, and, forty Members being found present,

MR. POWER contended that it would be very much fairer if, instead of making this charge a charge in perpetuity, the standard was tried for the first fifteen years, and then it could be re-considered. The fund upon which the charge was to be made was established for purposes of general public utility, and no one could contend that the object to which the money was to be applied in this case was one of "general public utility." There were certain crying demands, such as education and migration, which would come within that category, but certainly the relief of the worst class of rack-renting landlords would not. He altogether failed to see why these tithe-payers should have any such terms offered to them, as they were perfectly well satisfied with the terms they received when the Church was disestablished. The Chief Secretary had made the admission that it was quite possible there would be larger calls upon the fund than were anticipated, in which case the grant to the Agricultural Department would be jeopardised to some extent, but that then Ireland would have a very good claim to come to the House and ask for a grant out of Imperial funds. That was an admission they were glad to have, but how did they know who would be on the Treasury bench when that time came? This proposal would not satisfy the landlords, but at the same time it would dissipate a fund which, by judicious management, might do great good to the country generally.

MR. JAMES O'CONNOR desired to make a last appeal to the Chief Secretary to limit the operation of the clause to the next fifteen years. The right hon. Gentleman had with an iron inflexibility stuck to every word of the Bill, and had conceded nothing whatever to the representatives from Ireland. He admired the right hon. Gentleman's firmness when he had a good case, but this was an iniquitous Bill, and in such a case firmness was not a virtue, but a vice. If the experiment was limited to the fifteen years, the matter could then be again considered, and any further necessary changes might be made. Surely the Chief Secretary could concede that much to the universal demand of Members from Ireland.

MR. FLYNN declared that the Treasury Memorandum of 1899 could not be accepted, because four years previously a Treasury Minute declared that the Irish Church Fund could not bear any further charges without serious danger of insolvency. Moreover, the belated document of 1899 could not be taken as authentic, as it was evidently a "cooked" Memorandum prepared for an obvious and specific purpose.

Question put.

The Committee divided:—Ayes, 139; Noes, 76. (Division List No. 192.)

AYES.

Allsopp, Hon. George	Bailey, James (Walworth)	Balfour, Rt. Hn. G. W. (Leeds)
Arrol, Sir William	Balcarres, Lord	Barry, Rt Hn A H Smith-(Hunts
Atkinson, Rt. Hon. John	Balfour, Rt. Hn. A. J. (Manch'r)	Bethell, Commander

Bhownaggree, Sir M. M.
Bigwood, James
Bill, Charles
Blakiston-Houston, John
Boscawen, Arthur Griffith-
Bowles, T. Gibson (King's Lynn)
Carson, Rt. Hon. Sir Edw. H.
Cavendish, V. C. W (Derbyshire
Cecil, Evelyn, (Hertford, East)
Cecil, Lord Hugh (Greenwich)
Chamberlain, J. A. (Worc'r)
Chaplin, Rt. Hon. Henry
Charrington, Spencer
Clare, Octavius Leigh
Collings, Rt. Hon. Jesse
Colomb, Sir John Charles R.
Cook, Fred. Lucas (Lambeth.
Cornwallis, Fiennes Stanley W)
Cross, Alexander (Glasgow)
Curzon, Viscount
Denny, Colonel
Donkin, Richard Sim
Douglas, Rt. Hon. A. Akers-
Doxford, Sir William Theodore
Dyke, Rt Hon. Sir William Hart
Elliot, Hon. A. Ralph Douglas
Faber, George Denison
Fellowes, Hon. Ailwyn Edward
Fergusson, Rt Hn Sir J. (Manc'r)
Finlay, Sir Robert Bannatyne
Firbank, Joseph Thomas
Fisher, William Hayes
FitzGerald, Sir R. Penrose-
Fitz Wygram, General Sir F.
Flower, Ernest
Foster, Colonel (Lancaster)
Foster, Harry S. (Suffolk)
Galloway, William Johnson
Garfit, William
Gibbs, Hn A. G. H. (City of Lond.
Gibbs, Hon. Vicary (St. Albans
Godson, Sir Augustus Frederick
Goldsworthy, Major-General
Gordon, Hon. John Edward
Gorst, Rt. Hon. Sir John Eldon
Goschen, George J. (Sussex)
Green, Walford D (Wednesbury
Gull, Sir Cameron
Hamilton, Rt. Hn. Lord George
Hanbury, Rt. Hon. Robert Wm.
Hanson, Sir Reginald
Hardy, Laurence
Hermon-Hodge, R. Trotter
Hoare, Sir Samuel (Norwich)
Hobhouse, Henry
Howard, Joseph
Howorth, Sir Henry Hoyle
Hudson, George Bickersteth
Hughes, Colonel Edwin
Hutton, John (Yorks, N.R.)
Jeffreys, Arthur Frederick
Kenyon-Slaney, Col. William
Keswick, William
King, Sir Henry Seymour
Knowles, Lees
Lafone, Alfred
Laurie, Lieut.-General
Lawrence, Sir E Durning-(Corn
Lawson, John Grant (Yorks.)
Lecky, Rt Hon William Edw. H.
Long, Rt Hn Walter (Liverpool)
Lopes, Henry Yarde Buller
Lowe, Francis William
Lowles, John
Loyd, Archie Kirkman
Macartney, W. G. Ellison
Macdona, John Cumming
Maclure, Sir John William
M'Iver, Sir L. (Edinburgh, W.
M'Killop, James
Marks, Henry Hananel
Melville, Beresford Valentine
Middlemore, J. Throgmorton
Milward, Colonel Victor
Monckton, Edward Philip
Moore, William (Antrim, N.)
More, Robert J. (Shropshire)
Morrell, George Herbert
Mount, William George
Muntz, Philip A.
Murray, Rt. Hon. A. G. (Bute
Murray, Chas. J. (Coventry)
O'Neill, Hon. Robert Torrens
Pease, Herbert P. (Darlington
Percy, Earl
Phillpotts, Captain Arthur
Pilkington, R. (Lancs., Newton
Platt-Higgins, Frederick
Purvis, Robert
Rankin, Sir James
Rasch, Major Frederic Carne
Ritchie, Rt. Hon. Chas. T.
Robertson, Herbert (Hackney
Rothschild, Hon. Lionel Walter
Round, James
Russell, Gen. F. S. (Cheltenham
Russell, T. W. (Tyrone)
Sandys, Lt.-Col. Thos. Myles
Saunderson, Rt. Hon. Col. E. J.
Sharpe, William Edward T.
Sidebotham, J. W. (Cheshire)
Sidebottom, William (Derbysh.
Sinclair, Louis (Romford)
Smith, Abel H. (Christchurch)
Spencer, Ernest
Stewart, Sir Mark J. M'Taggart
Stone, Sir Benjamin
Strauss, Arthur
Thornton, Percy M.
Tomlinson, Wm. Edw. Murray
Tritton, Charles Ernest
Warde, Lt.-Col. C. E. (Kent)
Warr, Augustus Frederick
Williams, Colonel R. (Dorset)
Williams, Jos. Powell- (Birm.
Wilson, John (Falkirk)
Wodehouse, Rt. Hn. E. R. (Bath
Wylie, Alexander
Wyndham, George
Wyvill, Marmaduke D'Arcy

TELLERS FOR THE AYES—
Sir William Walrond and
Mr. Anstruther.

NOES.

Abraham, William (Cork, N.E.
Austin, M. (Limerick, W.)
Billson, Alfred
Blake, Alfred
Caldwell, James
Carew, James Laurence
Cawley, Frederick
Crilly, Daniel
Curran, Thomas B. (Donegal)
Curran, Thomas (Sligo, S.)
Davies, M Vaughan-(Cardigan
Dilke, Rt. Hon. Sir Charles
Dillon, John
Doogan, P. C.
Dunn, Sir William
Flavin, Michael Joseph
Flynn, James Christopher
Gladstone, Rt Hn. Herbert John
Goddard, Daniel Ford
Gurdon, Sir William Brampton
Harwood, George
Hazell, Walter
Hedderwick, Thomas Chas. H.
Hemphill, Rt. Hon. Charles H.
Hogan, James Francis
Holland, William Henry
Horniman, Frederick John
Hutton, Alfred E. (Morley)
Jameson, Major J. Eustace
Jones, William (Carnarvonsh.)
Langley, Batty
Leese, Sir Joseph F. (Accrington
Lewis, John Herbert
Macaleese, Daniel
MacDonnell, Dr M A (Queen's C.
MacNeill, John Gordon Swift
M'Arthur, William (Cornwall)
M'Crae, George
M'Dermott, Patrick
M'Ghee, Richard
M'Hugh, Patrick A. (Leitrim)
Molloy, Bernard Charles
Moulton, John Fletcher
Norton, Capt. Cecil William
O'Brien, James F. X. (Cork)
O'Brien, Patrick (Kilkenny)
O'Connor, James (Wicklow, W.
O'Connor, T. P. (Liverpool)
O'Dowd, John
O'Kelly, James
Oldroyd, Mark
O'Malley, William
Pickersgill, Edward Hare
Power, Patrick Joseph
Price, Robert John
Rickett, J. Compton
Robertson, Edmund (Dundee)
Samuel, J. (Stockton-on-Tees)
Soames, Arthur Wellesley
Souttar, Robinson
Spicer, Albert
Steadman, William Charles
Stevenson, Francis S.
Sullivan, Donal (Westmeath)
Sullivan, T. D. (Donegal, W.)
Tanner, Charles Kearns
Trevelyan, Charles Philips
Wallace, Robert
Walton, John L. (Leeds, S.)
Weir, James Galloway
Williams, John Carvell (Notts.)
Wills, Sir William Henry
Wilson, Henry J. (York, W. R.)
Wilson, John (Durham, Mid.)
Young, Samuel (Cavan, East)
Yoxall, James Henry

TELLERS FOR THE NOES—
Captain Donelan and Mr.
Patrick O'Brien.

MR. DILLON said he did not intend to move the Amendment standing in the name of the hon. Member for North Louth, although he believed he would be in order in doing so. The Amendment he wished to propose was to provide "that the owners of lay impropriate tithe rent-charge may elect to have the tithe payable to them varied according to the provisions of the present law." He protested against mixing up two utterly different subjects. Observe what this Bill proposed to do with lay impropriate tithes. Those tithes were private property, and had been private property since the Reformation. They were just as much private property as railway or any other stock. In dealing with lay impropriate tithes there was no question of a grievance in the same sense as had been contended in the case of the landlords. Lay impropriate tithes had been dealt with as private property, and had been bought and sold for many generations without any variation. He did not know any class of property which had been more frequently sold, and these tithes were very frequently made the subject of investments under marriage settlements. These tithes had always been valued in accordance with a certain standard. In some parts of the country they were variable in proportion to the price of oats, and in other parts in proportion to the price of wheat. But whether they were variable according to the price of wheat or oats, those who had bought and sold them had done so upon the basis of the price of the article with which they were varied. The necessity for legislation in the case of lay impropriate tithes appears to arise from a totally different cause than the necessity for legislation in the case of ecclesiastical tithe-payers. In this case the only necessity is the neglect of the Government in Dublin to publish the average prices of oats and wheat in the *Dublin Gazette*. But whatever difference arose in the case of lay impropriator tithe-payers would be removed by a single clause making the variations depend on the prices published in the Annual Reports of the Land Commissioners. That would remove the difficulty, and restore the owners and the payers of these tithes to their strict and well ascertained and legal rights which had prevailed since 1838. The Government in this Bill proposed to deal with private property in a way in which it was never proposed to be dealt with before. Without a shadow of reason or ground, the Government proposed to deal with this private property by introducing a new standard of variation never heard of before, which would, in many instances, reduce this private property by a greater percentage than it was legally rateable under the present law. Let them consider the case of the person of moderate income, who held £50 invested in lay impropriate tithes. Suppose that was in a district where oats was the measure of the value, and where they were entitled to get tithes revised on the basis of the price of oats. If he got them revised on that basis under the present law he might obtain 10, 12, or 15 per cent. reduction. But because the authorities at Dublin Castle neglected to publish in the *Dublin Gazette* the average price of oats and wheat, which was necessary for this man to get his tithes revised, the Government now came forward and proposed a Bill under which the tithe would be revised on a new scale, which would cut away from the owner of this private property a much larger percentage of the property than would be the case under the present law. What excuse do the Government give for such a scheme? They propose to apply Subsection 2 of Clause 3 to the lay impropriate tithes as well as to the ecclesiastical tithes, with the result that this private property will be reduced by a further 25, 30, or 40 per cent. in future. During the twenty years he had been in this House he had never heard such a monstrous proposition. So peculiar was this tithe that the man who was paying it might be twenty times as wealthy as the man who was receiving it. It might be the Duke of Devonshire who was paying the tithe, and it might be some very poor widow who was receiving it. Without rhyme or reason or just cause it was now proposed to cut down the value of this private property. He waited with much curiosity to hear the excuse the Government would put forward for this extraordinary proposal.

Amendment proposed—

"In page 3, line 5, at the end of the clause, to add the words, 'Provided always that owners of lay impropriate tithe rent-charge may elect to have the tithe payable to them varied according to the provisions of the present law' "—(*Mr. Dillon.*)

Question proposed, "That those words be there added."

MR. G. W. BALFOUR said the hon. Member should remember that the Government had been obliged to touch the tithe problem in consequence of the difficulties to which reference had been made, and partly in consequence of the hardships which the Acts of 1869 and 1872 threw upon the tithe-owners. Having been compelled to deal with the question and to recognise the indefensibility of the existing system of variation, the Government determined in consequence of the many difficulties in the way to reform the whole system. This had been done by means of this Bill, and he could not allow any exception like that suggested by the hon. Member in the Amendment.

MR. SWIFT MACNEILL said the right hon. Gentleman had referred to two alterations by statute in regard to lay impropriate tithes, but he wished to point out that those alterations were made at the earnest supplication of the lay impropriators themselves. He knew that hon. Members from Ireland sometimes attacked great interests, but on this occasion they were defending the rights of property the owners of which were poor people. To them every single farthing was of very great consequence. Every Irish lawyer must recollect, if he had not forgotten his law, that lay impropriate tithes used to form a very important part of Irish marriage settlements. The amounts were generally not more than £1,500 or £2,000, but these tithes were adopted as securities because they were a first charge upon the land, and they formed a capital security to those persons to whom every single farthing was of importance. What did the right hon. Gentleman propose to do? He proposed to render that which was now secure insecure. This was a perfect invasion of the law of property. The owner of lay impropriate tithes was a poor man, and the person benefited by this proposal was a rich man. This variation according to the fixed standards of the price of wheat and oats had prevailed since 1838, and that value had been understood, and now a reduction was proposed in that property which was not called for in any way. Unfortunately he did not believe hon. Members opposite had read this Bill, for it would be an insult to their intelligence to assume that if they had read it they would vote for it. Up to the present time lay impropriate tithes had been considered as good a security as the National Debt, and there was no excuse for this proposal. If the First Lord of the Treasury understood it, as he does not, he would say that there was no excuse for attacking private property in this way. He (Mr. Swift MacNeill) was delighted to pose for once as the defender of the rights of property. The money invested in these tithes belonged to the very poor, and it was a monstrous thing to disturb the value of that property in this manner. This was a miserable attempt to rob the very poor. They must recollect that the second portion of this very atrocious section applied to lay impropriate tithes. The excuse for doing this was that the old system of revising upon the standard of wheat and oats had failed. Why had it failed? Simply through the folly and malfeasance of the Government themselves, who had not published the prices in the *Dublin Gazette*. He thought the Amendment proposed by his hon. friend was a just and reasonable one, for it simply gave the owners of these lay impropriate tithes the option of having their tithes revised in accordance with the system which had prevailed for more than two generations. Lay impropriate tithes were held by individuals, as distinguished from ecclesiastical tithes, which were held by the Church. He hoped his hon. friend would go to a division, for a more unconscionable attack upon private property he never heard of before being proposed from the Front Bench. It was all the more unconscionable because it was going to attack the poor for the benefit of the rich, and it was an attack made in the interests of the landlords. A more revolutionary measure he had never heard of.

*MR. MOULTON (Cornwall, Launceston): This Amendment is one of a totally different character to others which have been moved. It appears to me to be an Amendment which I should have supposed, from my knowledge of the right hon. Gentleman the Chief Secretary, he would either have accepted or would have expressed his regret at not being able to accept. I confess I was astonished to hear from him a speech so irrelevant and flippant in answer to a complaint

made in very moderate terms, that it shows that the Bill is in the hands of a man who wishes to carry it through without giving himself the intellectual trouble of seeing how it will operate. I am not given to using language of this kind, but I use that language in this case because, knowing the great intellectual ability of the right hon. Gentleman, I cannot think that he was honouring this Committee in treating us to that speech. I am going to put as plainly as I can, and without the use of any language that might aggravate, the meaning of this Amendment and the claim for its acceptance. Tithes always were a charge on the gross produce of the land. They passed into the hands of private persons, and they were bought and sold with well-defined legal rights, namely, rights to such and such a proportion of the gross return of the land. The difficulty of collecting them made the owners willing to alter the shape but not the nature of their right, and consequently Tithe Commutation Acts were passed not only with the consent of the payers of the tithes, but at the earnest desire of the receivers. Gradually the tithes got into more definite form, until at last they came to be a certain number of quarters of certain agricultural produce the price of which was fixed in a specified way, and they were paid not in kind but in money. In that form they passed into the hands of persons whose fate is in our hands to-night. Large quantities of tithe passed into public hands and the Legislature felt it might deal more freely with them, and they were commuted for a fixed payment gladly accepted by the landlords. But the Legislature did not touch the tithes which had passed into private hands and which were the subject of definite legal rights. Now we come to the cry of the landlords who pay tithes that are in public hands that they would like the fixed impost they had gladly accepted in lieu of the variable demands on them changed, and the Government has decided that it must be changed. It is going to be altered in this way. If judicial rents have gone down, then this fixed impost is to be put down also. But how about those who have no fixed impost? Their returns have also been going down, because the price of the produce on which the tithe was based has been going down, and now it is proposed to strike these tithes down again, because in consequence of produce going down rents have also gone down. Is it just that they should be punished twice? They have already borne the consequences of the fall of wheat and oats, and now you are going to reduce them still lower because the fall of wheat and oats has affected rents. I say that that is unjust. These tithe-owners are to be punished more severely by making them take the consequence twice over of the fall of wheat and oats. But apart from this consideration there is a special injustice in making tithes go down in the same proportion as judicial rents. Judicial rents, like all other rents, are the value of the margin between the return of the land and the necessary cost of producing that return, and that margin we know in many parts of England has fallen to nothing. The reduction in the value of a marginal return like a rent is in a far higher ratio than the reduction in the price of produce. You now propose to reduce the tithes in proportion to the reduction in rents, although these tithe-owners have already taken the consequences of the fall in the price of produce, because it was part of the bargain they entered into, and to which they loyally adhered. You are going to tell them after they have borne the burden of these bad years, that because you want to relieve the landlords of a fixed impost, you are going to reduce the returns they purchased, and reduce them in this exaggerated manner. I was going to say, "exaggerated and unjust manner," but the word "unjust" is perfectly needless, because you have no right to meddle with private property at all when no public need demands it. Hon. Gentlemen opposite display a scrupulous devotion to the rights of private property, and I do not blame them for it. These rights only ought to give way when a great public need demands it, and I am perfectly certain if this were an English Bill it would be howled down, and no one would have dared to suggest on this side of the channel that a peaceable set of proprietors of property of this kind should in face of no public need have their property altered in this way. If we are ever going to make Ireland a contented part of this realm we must be as sensitive to Irish questions as we are to English questions; and if hon. Gentlemen opposite deliberately shut their ears to the plain and simple demand that these people

should be allowed to enjoy that which they have purchased, it will confirm that belief in Ireland—which is the greatest difficulty we have in uniting it heartily with our great country—that no one cares a button whether an injustice is done to Ireland or not.

THE ATTORNEY GENERAL FOR IRELAND (Mr. ATKINSON, Londonderry, N.): The hon. and learned Gentleman could not have spoken with greater confidence if he had known something of the subject. It has been my fortune, good or ill, to have had to devote some study to the tithe question in Ireland, and to have listened to remarks upon it by various speakers, and I can confidently say that I never heard anyone approach the subject in such blank ignorance as the hon. and learned gentleman. This Amendment, which, by the way, the hon. and learned Gentleman did not read to the House, and which I do not think he could have read, even for his own private information, gives the tithe-owner the option of selecting either the system set up in the Bill or the existing system; but the hon. and learned Gentleman does not know that there is no existing system in Ireland.

MR. DILLON: The right hon. Gentleman is misrepresenting the Amendment, which evidently he has not read. There is not a word in it about the existing system; it only refers to the existing law.

MR. ATKINSON: I take it for granted that what is meant by that is the existing system. If that is so, it means that, instead of the system set up in the Bill, the tithe-owner should be allowed to select the existing law, which gives him no relief, and cannot give him any relief unless it be revised. The reason it gives no relief is because, according to the existing law, when revision is brought about, you compare the price of either wheat or oats mentioned in the certificate with the average price of wheat or oats for the seven years preceding the date of the application; but such average prices have not been kept since 1879, and therefore, if they were set on foot now there would not be the material on which to work for a revision under the existing law for the next six years. The hon. and learned Gentleman was not aware of that, but that is the fact notwithstanding. Therefore, when an Amendment is proposed that an option should be given to the tithe rent-charge payer of taking the system set up by the Bill or the existing law, it is really no option at all. I doubt whether the hon. and learned Gentleman ever heard of the Act of 1824, of Goulbourne's Act of 1832, or Stanley's Act of 1838, because he appeared to me to talk as if tithes in Ireland were as they are in England, subject to revision from year to year. What are the facts? In 1828, the owners of tithes were forced to take a composition regulated on certain lines, whether they liked it or not, and yet the hon. and learned Gentleman speaks as if there had been no interference with tithe property. I suppose he is talking in ignorance of the legislation on the subject, because whether it was right or not there was legal interference both in 1832 and 1838. In 1838 the tithes that had been settled on Irish settlements were deliberately cut down by 25 per cent.

MR. SWIFT MACNEILL: With the consent of the people themselves.

MR. ATKINSON: On the contrary. In 1838 a different system of revision was adopted, because the tithes were revised according to the price of wheat or oats. Wheat or oats were not fair samples of produce, and were not fair samples of what the tithe was entitled to take. They were merely selected because the records of the prices of these two cereals had been preserved for other and entirely different purposes, and that machinery was taken as a test of revision. That is a bad system, and it has become impossible to work it owing to the fact that the officer whose duty it was to furnish these averages has ceased to exist. It is a cumbersome and difficult system, and the system which we propose is, as we think, more reasonable. It is automatic, and will produce more uniform and regular results. So far from there being an invasion of private property any more than has taken place under previous Acts, nothing can be further from the truth. Tithes have always been subject to revision, and we maintain that more justice will be done and more uniform results will be obtained under the system we propose than under the previous system.

*SERJEANT HEMPHILL: It appears to me from the two speeches we have heard from the Treasury Bench that the great weapon being used in defence of this indefensible Bill is to sneer at the arguments advanced on this side of the House. The Chief Secretary commenced by sneering at the arguments of the Member for East Mayo, and said he was astonished to see him stand up and protest against interference with the rights of property; but in indulging that sneer he forgot how vulnerable himself and his party are in bringing in a measure more confiscatory than any measure ever introduced into this House with regard to the private rights of property. My right hon. and learned friend who has just spoken thought fit to attempt to disparage one of the ablest, if not the very ablest, contribution to the debate we have heard during the four days the Bill has been under discussion. He felt his withers gall under the unanswerable arguments of my hon. and learned friend, because he failed to meet the gravamen of that speech, which was that without any public demand or necessity or any agitation for it, the Government are cutting away the very foundations of property which for centuries has been held in the ordinary way as any other fee simple estate. My right hon. and learned friend cannot deny that. These tithes have been the subject of settlement over and over again. They have been the subject of marriage settlements, of mortgages, and of sales; and I know, because my attention has been called to it by friends, that this Bill will inflict the greatest hardships in many respects. Jointures have been charged with these lay tithes, and if this Amendment is not carried, very great hardship will result. I happen to know a case where a lease of lay tithe was taken for a long number of years, the lessee paying a fixed rent, just as if he had taken the lease of a farm. The lessee is bound to pay that rent, whatever happens.

THE SOLICITOR GENERAL (Sir EDWARD CARSON, Dublin University): That would not be so under the Land Acts.

*SERJEANT HEMPHILL: I am speaking of a lessee of tithe, and the Land Acts do not apply; and I would ask my right hon. friend to reserve his contributions to the debate until I have sat down. A lessee of tithe might have covenanted years ago to pay £100 a year, expecting to get £150 from the tithes. He is irrevocably bound to pay that £100 as long as his lease continues; but if the tithe is to be reduced in this way, instead of making a profit he may suffer a loss, as the tithe may pay less than £100 a year. That is only one of the innumerable illustrations which might be cited. Again, a jointure of £200 a year may be charged on a tithe worth £300 a year, and the result of this Bill will be to cut away the property on which the jointure is charged. The point of my hon. and learned friend's argument has not been fairly met, nor has the argument of the Member for East Mayo been appreciated, because that hon. Gentleman in introducing this Amendment said that it was quite true that there should be some change in the law in order to reinstate the old system of the average price of corn as the standard for adjusting the tithe. That was lost sight of altogether, and I would remind the Committee that so late as 1882 tithe in England was made to depend on the price of corn, the prices being ascertained and determined by what is called the Corn Returns Acts, and it is on the average of seven years prices of corn that the tithe system of England depends. Would the Committee listen to any change in or encroachment on that system? My right hon. and learned friend says, "Oh, but there was the Act of 1824 and Goulbourne's Act and Stanley's Act, by which a reduction in tithe was made." But my right hon. and learned friend forgets the lessons of history, and especially of the history of Ireland. In the early part of the century Ireland was almost in a state of revolution because of the determination of the people not to pay tithes which were then paid by the tillers of the soil. We have only to take up an *Annual Register* to see that tithe-collectors were shot by the dozen. I do not know whether my right hon. and learned friend ever indulges in a study of the history of Ireland. If not he ought to do so. Does he not recollect the famous battle in Ireland where several policemen were shot in endeavouring to force the payment of tithes? It was these events that led to the Stanley Act, and under the Act of 1838 the tithe was reduced 25 per cent. in consideration of its*

being made a first charge on the land, and the tithe-owner had no longer to subject himself to the danger of being shot. He was only too glad of the change, and yet that is the Act referred to by my right hon. and learned friend as an argument in favour of this confiscatory measure. It was merely by a decision of the Court, on which there was great difference of opinion, that because the returns had not been published in the *Dublin Gazette*, it was laid down that there was no standard by which revision could take place. But that could have been remedied by a short Act of Parliament, or even by a clause in this Bill. Therefore the argument of the hon. and learned Member for Launceston stands completely unanswered and unanswerable; and it will be impossible now or hereafter to justify this aggression on private property, which may affect many orphans and widows, and as to the extent of which the right hon. Gentleman opposite has not furnished materials to enable the House to form a judgment, although I have seen it stated, I know not with what accuracy, that the lay tithe amounts to a million and a half a year.

MR. T. P. O'CONNOR: It is not my business to make any reference to the tone adopted by the right hon. Gentleman towards one of the most brilliant members of his profession in this House, when the right hon. Gentleman was denouncing the interference of an Englishman in Irish business. While attacking the hon. and learned Member for Launceston for ignorance and unintelligence in Irish affairs, the right hon. Gentleman might have done the justice to correctly state what he did say, and not put into his mouth words and principles which he did not enunciate. For instance, the right hon. Gentleman said that the hon. and learned Member for Launceston had declared that the rights of private property had never been interfered with, and then he went on triumphantly, as an answer to that, to point out that in 1824 there had been legislative interference with the rights of tithe-owners in Ireland. In the first place, the statement of my hon. and learned friend's principle was incorrect; and, in the second place, the inference which the right hon. Gentleman drew from that incorrect statement was fallacious. What my hon. and learned friend said was that the rights of private property were never interfered with in this House unless a public necessity had been shown for it. Does the right hon. Gentleman really mean the Committee to believe that my hon. and learned friend was stupid or childish enough to say that the rights of private property had never been interfered with? My hon. and learned friend never laid down any such an absurd proposition. His proposition was that when you come to interfere with private property you ought to show a great public necessity for so doing; and his object was to demonstrate that the Government were interfering with the rights of private property without showing an absolute necessity for it.

MR. ATKINSON: What I said was that there was no interference in this Bill with the rights of private property different in kind or nature from that to which tithes have been subjected from the year 1824.

MR. T. P. O'CONNOR: That is an entirely different point. The Act of 1824 was a very great and serious interference with the rights of tithe ownership; but then that was because there was a great public necessity for so doing. The right hon. Gentleman is quite as familiar as my hon. and learned friend with the history of tithes in Ireland. Early in the century all over Ireland the payment of tithes by the occupiers of the soil was resisted, and scenes of bloodshed and murder were frequent during that armed resistance. In 1825, the very year after the Act of 1824 was passed interfering with the tithes, Archdeacon Trench, in the county of Tipperary, raised a riot in which life was lost, because he endeavoured to sequestrate a number of geese in carrying out his right of tithe. So hot and widespread was the feeling against the payment of tithes in Ireland by the occupants of the soil, that even the collection of a few geese or a few sheaves of corn was quite sufficient to produce a riot in which blood was shed. In the face of these facts the right hon. the Attorney General has the coolness to come down here, when there is no demand in Ireland for it, no resistance of the tithe-payers, no petitions from them, and introduce a Bill following the precedents of 1824 and 1828, when the soil of Ireland was wet with the blood of the slain in the collection of tithes. The right hon. Gen-

tleman has established the argument of my hon. and learned friend, by showing the difference between the past and the present. I appeal to the right hon. Gentleman to seriously consider this Amendment. He was not satisfied with a misrepresentation of my hon. and learned friend the Member for Launceston, but he actually had the courage to misrepresent the scope of the Amendment before the Committee. The right hon. Gentleman said that the Amendment was in favour of the existing system. There is no existing system. Nobody used the words "existing system." Here are the words of the Amendment—

"Provided always that the owners of lay impropriator tithe rent-charge may elect to have the tithe payable to them varied under the existing law."

The existing law is not the existing system. Was it fair for the right hon. Gentleman not only to so grossly misrepresent the statement of my hon. and learned friend, but also the terms of the Amendment? The right hon. Gentleman says there is no system at the present moment. Does the law exist or does it not? Is the law suspended in regard to the collection of tithes?

MR. ATKINSON: It is inoperative.

MR. T. P. O'CONNOR: Let us examine this startling proposition laid down by the Attorney General——

MR. ATKINSON: It is inoperative because the system by which it was to work does not exist.

MR. T. P. O'CONNOR: Is the right hon. and learned Gentleman and is the Government treating us fairly in regard to this matter? Is that a candid way of dealing with us? He says the law is inoperative. Does he mean that under the existing law, owing to what occurred in connection with the *Dublin Gazette*, the tithe-payer cannot effect a reduction of his tithe proportioned to the prices of produce? But that is not the question we are discussing. We are not discussing the amount of money that the tithe-payer is bound to pay, but the question of the rights of the tithe-owner. Is the law inoperative in regard to them?

MR. ATKINSON: Neither the tithe-owner nor the tithe-payer can get a revision.

MR. T. P. O'CONNOR: I think this is rather an irregular, though Socratic, method of getting at the truth. The Committee, however, ought to be grateful for once for this means of getting at the bottom of the matter. It is quite true that the tithe-owner or the tithe-payer cannot get a revision. But have the tithe-owners asked for a revision? Are we to understand from the right hon. and learned Gentleman that they have allowed the law to remain in suspense, and that the only debtors in Ireland who cannot recover their debts are the tithe-owners?

MR. ATKINSON: They may recover their debts, but they cannot get a revision.

MR. T. P. O'CONNOR: I am asking one question, and the right hon. and learned Gentleman always takes care to answer another. I did not say that the tithe-payers or tithe-owners could get a revision; but that the tithe-owners were able to recover their property. Have the tithe owners asked for a change in the law? The Government have offered no evidence whatever that they have done so. We are in this position: that because certain debtors demand a revision of their debts, the creditors are to have a revision of these debts carried in this House for the benefit of the debtors. And this is a Government which, above all the Governments of the world, pose as the defenders of the rights of property! The right hon. Gentleman says that the Government have brought in this Bill for the relief of the landlords of Ireland. But the Duke of Devonshire says that they are much better off than the landlords of England. The Government in this House contradict the Duke of Devonshire, and say that "the landlords of Ireland have a grievance, and therefore we will reduce the burden of their debts." The landlords of Ireland are usually men of vast estates and great property. But who are the tithe-owners? They are not all landlords. A very considerable number of them, if not the majority, are not landlords at all. They are small people, and tithes form the subject of jointures and marriage settlements which are passed from hand to hand like Consols. Why benefit the Duke of Devonshire, the Duke of Abercorn, the Marquess of Lansdowne, the Marquess of Londonderry, the Marquess of Clanricarde, and the like? I do not

know whether the right hon. and gallant Member for North Armagh would be benefited by the Bill or not, but if so I congratulate him. The Duke of Devonshire, the Duke of Abercorn, the Marquess of Londonderry, the Marquess of Lansdowne, the Marquess of Clanricarde, and other persons of vast possessions and princely incomes are the charitable objects of this Bill, but what about the poor small landlord? What about the young woman who married with a little fortune consisting of £100 in tithes? What about the widow with a jointure of £200 a year from tithes? Whenever I hear of the vicissitudes of fortune caused by the land war, I am deeply moved by the stories of want and suffering that have come to small landlords, some of whose wives have even died in the workhouse. Why, that is the class we want to protect—the small tithe-owners, whose income is going to be reduced from 25 to 50 per cent. in order that the Duke of Devonshire, the Duke of Abercorn, the Marquess of Clanricarde, the Marquess of Londonderry, the Marquess of Lansdowne, and the like may have a considerable reduction in the payment of their tithes. If this were a question of dealing with private property in England, a Bill of this kind would have been hooted out of the House of Commons; and if it had been brought in by a Liberal Government, such a proposal would have met with the most determined and obstructive opposition from hon. Gentlemen opposite; and if it had had the strange fortune to pass through this House—as such proposals rarely do—it would have got very short shrift and hard measure when it went to another place which is mainly concerned with the rights of property.

MR. DILLON: I wish to say a few words in reply to the right hon. the Chief Secretary; but before doing so I must express my astonishment at the attitude of the Attorney General towards the hon. and learned Gentleman the Member for Launceston, who has exhibited a thorough acquaintance with this measure and the subject with which it deals. The right hon. and learned Gentleman sneered at an English Member interfering with Irish affairs. Well, I wish that he would request the legions of English Members behind him to retire from the House, and then we could deal with the Bill in an intelligent way. It is monstrous that the right hon. Gentleman in charge of the Bill should adopt an outrageous tone in objecting to an English Member intelligently discussing the Bill, when he knows that his only chance of passing it is dependent on the votes of his legions of English Members, who neither understand the Bill nor listen to the debates on it, and who only came in to-night because they expected some lively scenes. The right hon. the Chief Secretary absolutely declined to argue the merits of the Amendment. The Attorney General said that in the year 1838 the tithe proprietors in Ireland were obliged to submit to a reduction of 25 per cent. They did submit gladly and willingly to the reduction, and why? Because they got a good *quid pro quo*. They exchanged the tithes leviable at great expense in the face of ferocious opposition at a great personal danger, for a first charge on the land just as secure as Government stock, and leviable without any expense or risk. In the present instance the Government are asking the tithe-owners to submit to an uncertain though great diminution, but they are offering them no *quid pro quo* whatever. The right hon. Gentleman did not attempt to give any reason for this assault on property in Ireland. He talked of the extreme imperfection of the present system, and said the Government were going to effect a general reform. This system has been in existence in Ireland for sixty-two years, and when did the Government become so keenly sensible of its defects? Only when the landlords wanted a dole! They are going to effect a general reform—a general reform which consists in a reduction of the private property of men who have given no cause of offence, and property payable by people who are, for the most part, really well able to pay it, and who in many instances are much wealthier than the people who own the tithes. The right hon. Gentleman proceeded to indulge in what I must confess was cheap sarcasm about the Members on these benches standing up in defence of the rights of property, and that we never did so except where the interests of the tenants were concerned. We might make the forcible retort that hon. Gentlemen opposite show no interest in the rights of property except when the rights of landlords are concerned. I never saw a more

glaring instance of the hollowness of the pretensions of hon. Gentlemen opposite than in their attitude towards this Amendment. Why do they sneer at us for our protection of tithe-owners? It is because the tithe-payers are mostly rich landowners, men of position and influence, and because the men and women who are interested in the rights of property, and for whose rights we are standing up, are poor and not influential. Then the Attorney General came to the rescue and thought he had annihilated my Amendment by pointing out that I propose to refer the payer of lay impropriate tithes in Ireland for his remedy to the present system. That is what I did not do. I referred him to the present law. The quibble of the Attorney General is perfectly preposterous and absurd. It is impossible for any man, even the Attorney General, to deny that the law exists in Ireland today and ever since 1838, giving to the lay impropriate tithe-payer the right of revision; and when I referred to the remedy under the present law I stated when moving the Amendment that my proposal would involve the insertion of a short clause in the Bill giving the right of the lay impropriate tithe-payer to use the corn average prices published by the Land Commissions in their annual Reports. I say that the wording of my Amendment is absolutely correct. It proposes, instead of setting up a new, arbitrary, and most unjust standard, whereby the property of these men can be cut and carved, that it should be referred to the law as it has existed for sixty-two years, by which revision would take place automatically, and which could be re-affirmed by a short clause in the Bill. Before the division is taken, I wish to repeat that the proposed mode of reducing the tithes of the lay impropriate tithe-owner in proportion to the judicial rents is most grotesque and unjust. It implies a widely different standard in different counties—a thing unknown to the law before. Why should the lay impropriate tithe-owner who lives in the county of Antrim, who, under the law as it stands, has suffered a reduction of 14 per cent. of his measure of oats, have the value of his property reduced by this Bill, without rhyme or reason, 30 per cent., and in another fifteen years have it cut down by another 30 per cent.? Take the county of Cork. Why should the lay impropriate tithe-payer of Cork, who might get a reduction of 50 per cent. on his tithe, be barred by this clause from getting more than 15 or 16 per cent. Never in the history of this House has a more absurd and reckless proposal been brought forward. It is perfectly grotesque in its operation, and utterly divorced from every consideration of reason or justice.

Question put.

The Committee divided:—Ayes, 109; Noes, 195. (Division List No. 193.)

AYES.

Abraham, William (Cork, N.E.)
Ashton, Thomas Gair
Asquith, Rt. Hon. Herbert H.
Atherley-Jones, L.
Austin, M. (Limerick, W.)
Barlow, John Emmott
Beaumont, Wentworth C. B.
Billson, Alfred
Blake, Edward
Caldwell, James
Carew, James Laurence
Causton, Richard Knight
Cawley, Frederick
Channing, Francis Allston
Crilly, Daniel
Curran, Thomas B. (Donegal)
Dalziel, James Henry
Davies, M. Vaughan-(Cardigan
Dilke, Rt. Hon. Sir Charles
Dillon, John
Doogan, P. C.
Dunn, Sir William
Emmott, Alfred
Engledew, Charles John
Evans, Sir Francis H (South'ton
Faber, George Denison
Flavin, Michael Joseph
Flynn, James Christopher
Fox, Dr. Joseph Francis
Gladstone, Rt. Hon. Herb. J.
Goddard, Daniel Ford
Griffith, Ellis J.
Gurdon, Sir William Brampton
Haldane, Richard Burdon
Hayne, Rt. Hn. Charles Seale-
Hazell, Walter
Hemphill, Rt. Hon. Charles H.
Holland, William Henry
Horniman, Frederick John
Jameson, Major J. Eustace
Johnson-Ferguson, J. Sabez Edw.
Jones, William (Carnarvons.)
Kearley, Hudson E.
Kitson, Sir James
Lawson, Sir W. (Cumberland)
Leese, Sir Joseph F (Accrington
Lloyd-George, David
Lough, Thomas
Macaleese, Daniel
MacDonnell, Dr M A (Queen'sC
MacNeill, John Gordon Swift
M'Crae, George
M'Dermott, Patrick
M'Ghee, Richard
M'Hugh, Patrick A. (Leitrim)
M'Kenna, Reginald
M'Laren, Charles Benjamin
M'Leod, John
Mandeville, J. Francis
Molloy, Bernard Charles
Morgan, J. Lloyd (Carmarthen
Moulton, John Fletcher
Norton, Capt. Cecil William
O'Brien, James F. X. (Cork)
O'Brien, Patrick (Kilkenny)
O'Connor, James (Wicklow, W.
O'Connor, T. P. (Liverpool)
O'Dowd, John
O'Kelly, James
Oldroyd, Mark
O'Malley, William
Pease, Joseph A. (Northumb.
Peel, Hon. W. Robert Wellesley
Pilkington, Sir G. A. (Lancs SW
Power, Patrick Joseph

Price, Robert John
Provand, Andrew Dryburgh
Reckitt, Harold James
Richardson, J. (Durham, S.E.
Rickett, J. Compton
Roberts, John H. (Denbighs.)
Robertson, Edmund (Dundee)
Robson, William Snowdon
Samuel, J. (Stockton-on-Tees)
Scott, Chas. Prestwich (Leigh)
Shaw, Chas. Edw. (Stafford)
Sinclair, Capt. J. (Forfarshire)
Soames, Arthur Wellesley
Souttar, Robinson
Spicer, Albert
Stanhope, Hon. Philip J.
Steadman, William Charles
Stevenson, Francis S.
Strachey, Edward
Sullivan, Donal (Westmeath)
Sullivan, T. D. (Donegal, W.)
Tanner, Charles Kearns
Thomas, Abel (Carmarthen,E.
Trevelyan, Charles Philips
Wallace, Robert
Walton, Joseph (Barnsley)
Weir, James Galloway
Whiteley, George (Stockport)
Wilson, Henry J. (York, W.R.
Wilson, John (Durham, Mid)
Wilson, John (Govan)
Woods, Samuel
Young, Samuel (Cavan, East)
Yoxall, James Henry

TELLERS FOR THE AYES—Sir Thomas Esmonde and Captain Donelan.

NOES.

Acland-Hood, Capt. Sir Alex. F.
Arrol, Sir William
Ashmead-Bartlett, Sir Ellis
Atkinson, Rt. Hon. John
Bailey, James (Walworth)
Balcarres, Lord
Balfour, Rt. Hon. A. J. (Manch'r
Balfour, Rt. Hon. G. W. (Leeds
Banbury, Frederick George
Barry, Rt Hn A H Smith- (Hunts
Beach, Rt. Hn. Sir M. H. (Bristol
Bemrose, Sir Henry Howe
Bhownaggree, Sir M. M.
Bigwood, James
Bill, Charles
Blakiston-Houston, John
Blundell, Colonel Henry
Bond, Edward
Boscawen, Arthur Griffith-
Brassey, Albert
Brodrick, Rt. Hon. St. John
Butcher, John George
Carlile, William Walter
Carson, Rt. Hon. Sir Edw. H.
Cavendish, R. F. (N. Lancs.)
Cavendish, V. C. W (Derbyshire
Cayzer, Sir Charles William
Cecil, Evelyn (Hertford, East)
Cecil, Lord Hugh (Greenwich)
Chamberlain, Rt. Hon. J (Birm.)
Chamberlain, J Austen (Worc'r
Chaplin, Rt. Hon. Henry
Charrington, Spencer
Cohen, Benjamin Louis
Collings, Rt. Hon. Jesse
Colomb, Sir John Charles R.
Corbett, A. Cameron (Glasg'w)
Cornwallis, Fiennes Stanley W.
Cross, Alexander (Glasgow)
Curzon, Viscount
Dalkeith, Earl of
Dalrymple, Sir Charles
Denny, Colonel
Dickinson, Robert Edmond
Digby, John K. D. Wingfield-
Disraeli, Coningsby Ralph
Donkin, Richard Sim
Douglas, Rt. Hon. A. Akers-
Doxford, Sir William Theodore
Dyke, Rt. Hn. Sir William H.
Elliot, Hon. A. Ralph D.
Fellowes, Hon. Ailwyn Edw.
Fergusson, Rt. Hn. Sir J. (Man'r
Finch, George H.
Finlay, Sir Robert Bannatyne
Firbank, Joseph Thomas
Fisher, William Hayes
FitzGerald, Sir Robert Penrose-
Fitz Wygram, General Sir F.
Flower, Ernest
Foster, Harry S. (Suffolk)
Galloway, William Johnson
Garfit, William
Gedge, Sydney
Gibbs, Hn. A. G. H. (Cy of Lond.
Gibbs, Hn. Vicary (St. Albans)
Godson, Sir Augustus F.
Goldsworthy, Major-General
Gordon, Hon. John Edward
Gorst, Rt. Hn. Sir John Eldon
Goschen, George J. (Sussex)
Goulding, Edward Alfred
Graham, Henry Robert
Green, W. D. (Wednesbury)
Greene, Henry D. (Shrewsbury)
Greville, Hon. Ronald
Gull, Sir Cameron
Hamilton, Rt. Hon. Lord G.
Hanbury, Rt. Hn. Robert W.
Hanson, Sir Reginald
Hardy, Laurence
Helder, Augustus
Hermon-Hodge, Robt. Trotter
Hoare, Sir Samuel (Norwich)
Hobhouse, Henry
Hornby, Sir William Henry
Howard, Joseph
Howorth, Sir Henry Hoyle
Hudson, George Bickersteth
Hutchinson, Capt. G. W. Grice-
Hutton, John (Yorks. N.R.)
Jackson, Rt. Hon. Wm. Lawies
Jeffreys, Arthur Frederick
Johnstone, Heywood (Sussex)
Kenyon-Slaney, Col. William
Keswick, William
King, Sir Henry Seymour
Knowles, Lees
Lafone, Alfred
Lawrence, Sir E. Durning- (Corn
Lawrence, Wm. F. (Liverpool)
Lawson, John Grant (Yorks.)
Lea, Sir Thomas (Londonderry)
Lecky, Rt Hon William Edw. H.
Llewelyn, Sir Dillwyn- (Swan.)
Loder, Gerald Walter Erskine
Long, Col. Charles W. (Evesham
Long, Rt. Hon. W. (Liverp'l)
Lopes, Henry Yarde Buller
Lowe, Francis William
Lowles, John
Loyd, Archie Kirkman
Lyttelton, Hon. Alfred
Macartney, W. G. Ellison
Macdona, John Cumming
Maclure, Sir John William
M'Arthur, Charles (Liverpool)
M'Iver, Sir Lewis (Edinb'rgh W.
K'Killop, James
Martin, Richard Biddulph
Melville, Beresford Valentine
Meysey-Thompson, Sir H. M.
Middlemore, J. Throgmorton
Milner, Sir Frederick George
Milward, Colonel Victor
Monckton, Edward Philip
Moore, William (Antrim, N.)
More, Robt. Jasper (Shropshire)
Morgan, Hn Fred. (Monm'thsh.
Morrell, George Herbert
Mount, William George
Muntz, Philip A.
Murray, Rt. Hon. A. G. (Bute
Murray, Charles J. (Coventry)
Myers, William Henry
O'Neill, Hon. Robert Torrens
Pease, Herbert P. (Darlington
Phillpotts, Captain Arthur
Platt-Higgins, Frederick
Pollock, Harry Frederick
Pretyman, Ernest George
Pryce-Jones, Lt.-Col. Edw.
Purvis, Robert
Pym, C. Guy
Rankin, Sir James
Rasch, Major Frederic Carne
Remnant, James Farquharson
Rentoul, James Alexander
Richards, Henry Charles
Ridley, Rt. Hon. Sir M. W.
Ritchie, Rt. Hon. Chas. T.
Robertson, Herbert (Hackney)
Rothschild, Hon. Lionel W.
Round, James
Russell, Gen. F. S. (Cheltenham
Russell, T. W. (Tyrone)
Samuel, Harry S. (Limehouse)
Saunderson, Rt. Hn. Col Edw. J.
Sharpe, William Edward T.
Sidebotham, J. W. (Cheshire)
Sidebottom, T. Harrop (Stalybr
Sidebottom, William (Derbysh.
Sinclair, Louis (Romford)
Skewes-Cox, Thomas
Smith, Abel H. (Christchurch)
Smith, James Parker (Lanarks.
Smith, Hon. W. F. D. (Strand)
Spencer, Ernest
Stanley, Hon. A. (Ormskirk)
Stanley, Ed. Jas. (Somerset)
Stephens, Henry Charles
Stewart, Sir Mark J. M'Taggart
Stone, Sir Benjamin
Strauss, Arthur

Sturt, Hon. Humphry Napier
Thornton, Percy M.
Tollemache, Henry James
Tomlinson, Wm Edw. Murray
Tritton, Charles Ernest
Tuke, Sir John Batty
Warde, Lieut.-Col. C. E. (Kent)
Warr, Augustus Frederick
Welby, Lt.-Col. A. C. E. (Taunton
Whiteley, H. (Ashton-under-L.
Williams, Colonel R. (Dorset)
Williams, J. Powell- (Birm.)
Willoughby de Ereshy, Lord
Willox, Sir John Archibald
Wilson, John (Falkirk)
Wilson-Todd, Wm. H. (Yorks.)
Wodehouse, Rt. Hn. E. R. (Bath
Wortley, Rt. Hn. C. B. Stuart-
Wylie, Alexander
Wyndham, George
Wyvill, Marmaduke D'Arcy
TELLERS FOR THE NOES—
Sir William Walrond and
Mr. Anstruther.

MR. G. W. BALFOUR rose in his place, and claimed to move, "That the Question 'That Clause 3 stand part of the Bill' be now put."

Question put, "That the Question 'That Clause 3 stand part of the Bill' be now put."

The Committee divided:—Ayes, 197; Noes, 101. (Division List No. 194.)

AYES.

Acland-Hood, Capt. Sir Alex. F.
Arrol, Sir William
Ashmead-Bartlett, Sir Ellis
Atkinson, Rt. Hon. John
Bailey, James (Walworth)
Balcarres, Lord
Balfour, Rt. Hon. A. J. (Manch'r
Balfour, Rt Hn Gerald W (Leeds
Banbury, Frederick George
Barry, Rt Hn A H Smith- (Hunts
Beach, Rt. Hn. Sir M. H (Bristol)
Beach, Rt. Hn. W. W. B. (Hants.
Bemrose, Sir Henry Howe
Bhownaggree, Sir M. M.
Bigwood, James
Bill, Charles
Blakiston-Houston, John
Blundell, Colonel Henry
Bond, Edward
Boscawen, Arthur Griffith-
Brassey, Albert
Brodrick, Rt. Hon. St. John
Butcher, John George
Carlile, William Walter
Carson, Rt. Hon. Sir Edw. H.
Cavendish, R. F. (N. Lancs.)
Cavendish, V. C. W. (Derbys.
Cayzer, Sir Charles William
Cecil, Evelyn (Hertford, E.)
Cecil, Lord Hugh (Greenwich.
Chamberlain, Rt. Hon. J (Birm)
Chamberlain, J Austen (Worc'r
Chaplin, Rt. Hon. Henry
Charrington, Spencer
Cohen, Benjamin Louis
Collings, Rt. Hon. Jesse
Colomb, Sir John Charles Ready
Corbett, A. Cameron (Glasgow
Cornwallis, Fiennes Stanley W.
Cross, Alexander (Glasgow)
Curzon, Viscount
Dalkeith, Earl of
Dalrymple, Sir Charles
Denny, Colonel
Dickinson, Robert Edmond
Digby, John K. D. Wingfield-
Disraeli, Coningsby Ralph
Douglas, Rt. Hon. A. Akers-
Doxford, Sir William Theodore
Dyke, Rt. Hon Sir William Hart
Elliot, Hon. A. Ralph Douglas
Faber, George Denison
Fellowes, Hon. Ailwyn Edw.
Fergusson, Rt. Hn. Sir J (Manc'r
Finch, George H.
Finlay, Sir Robert Bannatyne
Firbank, Joseph Thomas
Fisher, William Hayes
FitzGerald, Sir Rbt. Penrose-
Fitz Wygram, General Sir F.
Flower, Ernest
Foster, Harry S. (Suffolk)
Galloway, William Johnson
Garfit, William
Gedge, Sydney
Gibbs, Hn. A. G. H (City of Lond.
Gibbs, Hon. Vicary (St. Albans)
Godson, Sir Augustus Fred.
Goldsworthy, Major-General
Gordon, Hon. John Edward
Gorst, Rt. Hon. Sir John E.
Goschen, George J. (Sussex)
Goulding, Edward Alfred
Graham, Henry Robert
Green, W. D. (Wednesbury)
Greene, H. D. (Shrewsbury)
Greville, Hon. Ronald
Gull, Sir Cameron
Hamilton, Rt. Hon. Lord G.
Hanbury, Rt. Hon. Robert W.
Hanson, Sir Reginald
Hardy, Laurence
Helder, Augustus
Hermon-Hodge, Rbt. Trotter
Hoare, Sir Samuel (Norwich)
Hobhouse, Henry
Hornby, Sir William Henry
Howard, Joseph
Howorth, Sir Henry Hoyle
Hudson, George Bickersteth
Hutchinson, Capt. G. W. Grice-
Hutton, John (Yorks., N.R.)
Jackson, Rt. Hon. Wm. L.
Jeffreys, Arthur Frederick
Johnstone, Heywood (Sussex)
Kenyon-Slaney, Col. William
Keswick, William
King, Sir Henry Seymour
Knowles, Lees
Lafone, Alfred
Lawrence, Sir E Durning- (Corn
Lawrence, Wm. F. (Liverpool)
Lawson, John Grant (Yorks.)
Lea, Sir Thomas (Londonderry)
Lecky, Rt. Hn. William Edw. H.
Llewelyn, Sir Dillwyn- (Swans.
Loder, Gerald Walter Erskine
Long, Col. Charles W (Evesham
Long, Rt. Hn Walter (Liverpool
Lopes, Henry Yarde Buller
Lowe, Francis William
Lowles, John
Loyd, Archie Kirkman
Lyttelton, Hon. Alfred
Macartney, W. G. Ellison
Macdona, John Cumming
Maclure, Sir John William
M'Arthur, Charles (Liverpool)
M'Iver, Sir L. (Edinburgh, W.
M'Killop, James
Martin, Richard Biddulph
Melville, Beresford Valentine
Meysey-Thompson, Sir H. M.
Middlemore, J. Throgmorton
Milner, Sir Frederick George
Milward, Colonel Victor
Monckton, Edward Philip
Moore, William (Antrim, N.)
More, Robt. Jasper (Shropshire)
Morgan, Hn. Fred. Monm'thsh.
Morrell, George Herbert
Mount, William George
Muntz, Philip A.
Murray, Rt. Hon. A. G. (Bute)
Murray, Charles J. (Coventry)
Myers, William Henry
Nicholson, William Graham
Nicol, Donald Ninian
O'Neill, Hon. Robert Torrens
Pease, Herb. Pike (Darlington)
Peel, Hn. Wm. Rbt. Wellesley
Pender, Sir James
Phillpotts, Captain Arthur
Platt-Higgins, Frederick
Pollock, Harry Frederick
Pretyman, Ernest George
Pryce-Jones, Lt.-Col. Edward
Pym, C. Guy
Rankin, Sir James
Rasch, Major Frederic Carne
Remnant, James Farquharson
Rentoul, James Alexander
Richards, Henry Charles
Ridley, Rt. Hn. Sir M. W.
Ritchie, Rt. Hon. Charles T.
Robertson, Herbert (Hackney)
Rothschild, Hon. Lionel W.
Round, James
Russell, Gen. F. S. (Cheltenham
Russell, T. W. (Tyrone)
Samuel, Harry S. (Limehouse)
Saunderson, Rt. Hn. Col. E. J.
Sharpe, Willam Edward T.
Sidebotham, J. W. (Cheshire)
Sidebottom, T. Harrop (Stalybr.
Sidebottom, Wm. (Derbyshire)
Sinclair, Louis (Romford)
Skewes-Cox, Thomas

Smith, Abel H. (Christchurch)
Smith, James Parker (Lanarks.
Smith, Hon. W. F. D. (Strand)
Stanley, Hn. Arthur (Ormskirk
Stanley, Edw. Jas. (Somerset)
Stephens, Henry Charles
Stewart, Sir Mark J. M'Taggart
Stirling-Maxwell, Sir John M.
Stone, Sir Benjamin
Strauss, Arthur
Sturt, Hon. Humphry Napier
Thornton, Percy M.
Tollemache, Henry James
Tomlinson, William Edw. M.
Tritton, Charles Ernest
Tuke, Sir John Batty
Warde, Lt.-Col. C. E. (Kent)
Whiteley, H. (Ashton-under-L.
Williams, Colonel R. (Dorset)
Williams, Jsph. Powell-(Birm.
Willoughby de Eresby, Lord
Willox, Sir John Archibald
Wilson, John (Falkirk)
Wilson-Todd, W. H. (Yorks.)
Wodehouse, Rt. Hn. E. R. (Bath
Wortley, Rt. Hon. C. B. Stuart-
Wylie, Alexander
Wyndham, George
Wyvill, Marmaduke D'Arcy

TELLERS FOR THE AYES—Sir William Walrond and Mr. Anstruther.

NOES.

Abraham, William (Cork, N. E.)
Ashton, Thomas Gair
Asquith, Rt. Hn. Herbert Henry
Atherley-Jones, L.
Austin, M. (Limerick, W.)
Barlow, John Emmott
Beaumont, Wentworth C. B.
Billson, Alfred
Blake, Edward
Caldwell, James
Carew, James Laurence
Causton, Richard Knight
Cawley, Frederick
Channing, Francis Allston
Crilly, Daniel
Curran, Thomas B. (Donegal)
Dalziel, James Henry
Davies, M. Vaughan-(Cardigan
Dilke, Rt. Hon. Sir Charles
Dillon, John
Doogan, P. C.
Dunn, Sir William
Emmott, Alfred
Engledew, Charles John
Flavin, Michael Joseph
Flynn, James Christopher
Fox, Dr. Joseph Francis
Gladstone, Rt. Hn Herbert John
Goddard, Daniel Ford
Griffith, Ellis J.
Gurdon, Sir William Brampton
Haldane, Richard Burdon
Hayne, Rt. Hon. Charles Seale-
Hazell, Walter
Hemphill, Rt. Hon Charles H.
Holland, William Henry
Horniman, Frederick John
Jameson, Major J. Eustace
Johnson-Ferguson, Jabez E.
Jones, Wm. (Carnarvonshire)
Kearley, Hudson E.
Kitson, Sir James
Lawson, Sir Wilfrid (Cumb'land
Leese, Sir J. F. (Accrington)
Lloyd-George, David
Lough, Thomas
Macaleese, Daniel
MacDonnell, Dr. M. A. (Qn'sC.)
MacNeill, John Gordon Swift
M'Crae, George
M'Dermott, Patrick
M'Ghee, Richard
M'Hugh, Patrick A. (Leitrim)
M'Kenna, Reginald
M'Laren, Charles Benjamin
M'Leod, John
Mandeville, J. Francis
Molloy, Bernard Charles
Morgan, J. Lloyd (Carmarthen)
Moulton, John Fletcher
Norton, Capt. Cecil William
O'Brien, James F. X. (Cork)
O'Brien, Patrick (Kilkenny)
O'Connor, Jas. (Wicklow, W.)
O'Connor, T. P. (Liverpool)
O'Dowd, John
O'Kelly, James
Oldroyd, Mark
O'Malley, William
Pease, Joseph A. (Northumb.)
Pilkington, Sir G. A (Lancs S. W.
Power, Patrick Joseph
Price, Robert John
Reckitt, Harold James
Richardson, J. (Durham, S. E.
Roberts, John H. (Denbighs.)
Robson, William Snowdon
Samuel, J. (Stockton-on-Tees)
Scott, Chas. Prestwich (Leigh
Shaw, Charles Edw. (Stafford)
Sinclair, Capt. J. (Forfarshire
Soames, Arthur Wellesley
Souttar, Robinson
Stanhope, Hon. Philip J.
Steadman, William Charles
Stevenson, Francis S.
Strachey, Edward
Sullivan, Donal (Westmeath)
Sullivan, T. D. (Donegal, W.)
Tanner, Charles Kearns
Thomas, Abel (Carmarthen, E.)
Trevelyan, Charles Philips
Wallace, Robert
Walton, Joseph (Barnsley)
Weir, James Galloway
Whiteley, George (Stockport)
Wilson, Henry J. (York, W. R.
Wilson, John (Durham, Mid)
Wilson, John (Govan)
Woods, Samuel
Yoxall, James Henry

TELLERS FOR THE NOES—Sir Thomas Esmonde and Captain Donelan.

Question put accordingly, "That Clause 3 stand part of the Bill."

The Committee divided:—Ayes, 201; Noes, 102. (Division List No. 195.)

AYES.

Acland-Hood, Capt. Sir Alex. F.
Arrol, Sir William
Ashmead-Bartlett, Sir Ellis
Atkinson, Rt. Hon. John
Bailey, James (Walworth)
Balcarres, Lord
Balfour, Rt. Hn. A. J. (Manch'r)
Balfour, Rt Hn Gerald W (Leeds
Banbury, Frederick George
Barry, Rt Hn A H Smith-(Hunts
Beach, Rt. Hn. Sir M. H. (Bristol
Beach, Rt. Hon. W. W. B (Hants
Bemrose, Sir Henry Howe
Bhownaggree, Sir M. M.
Bigwood, James
Blakiston-Houston, John
Blundell, Colonel Henry
Bond, Edward
Boscawen, Arthur Griffith-
Brassey, Albert
Brodrick, Rt. Hon. St. John
Butcher, John George
Carlile, William Walter
Carson, Rt. Hon. Sir Edw. H.
Cavendish, R. F. (N. Lancs.)
Cavendish, V. C. W. (Derby)
Cayzer, Sir Charles William
Cecil, Evelyn (Hertford, East)
Cecil, Lord Hugh (Greenwich)
Chamberlain, Rt. Hn. J. (Birm.
Chamberlain, J. Austen (Worc'r
Chaplin, Rt. Hon. Henry
Charrington, Spencer
Cohen, Benjamin Louis
Collings, Rt. Hon. Jesse
Colomb, Sir John Charles R.
Corbett, A. Cameron (Glasgow)
Cornwallis, Fiennes Stanley W.
Cross, Alexander (Glasgow)
Curzon, Viscount
Dalkeith, Earl of
Dalrymple, Sir Charles
Denny, Colonel
Dickinson, Robert Edmond
Digby, John K. D. Wingfield-
Disraeli, Coningsby Ralph
Douglas, Rt. Hon. A. Akers-
Doxford, Sir William Theodore
Dyke, Rt. Hn. Sir William Hart
Elliot, Hon. A. Ralph D.
Faber, George Denison
Fellowes, Hon. Ailwyn Edward
Fergusson, Rt Hn. Sir J. (Manc'r
Finch, George H.

Finlay, Sir Robert Bannatyne
Firbank, Joseph Thomas
Fisher, William Hayes
FitzGerald, Sir Robert Penrose-
Fitz Wygram, General Sir F.
Flower, Ernest
Foster, Harry S. (Suffolk)
Galloway, William Johnson
Garfit, William
Gedge, Sydney
Gibbs, Hn. A. G. H (City of Lond.
Gibbs, Hon. V. (St. Albans)
Godson, Sir A. Frederick
Goldsworthy, Major-General
Gordon, Hon. John Edward
Gorst, Rt. Hn. Sir John Eldon
Goschen, George J. (Sussex)
Goulding, Edward Alfred
Graham, Henry Robert
Green, W. D. (Wednesbury)
Greene, H. D. (Shrewsbury)
Greville, Hon. Ronald
Gull, Sir Cameron
Hamilton, Rt. Hon. Lord G.
Hanbury, Rt. Hn. Robert W.
Hanson, Sir Reginald
Hardy, Laurence
Helder, Augustus
Henderson, Alexander
Hermon-Hodge, R. Trotter
Hoare, Sir Samuel (Norwich)
Hobhouse, Henry
Hornby, Sir William Henry
Howard, Joseph
Howorth, Sir Henry Hoyle
Hudson, George Bickersteth
Hutchinson, Capt. G. W. Grice-
Hutton, John (Yorks. N. R.)
Jackson, Rt. Hon. Wm. L.
Jeffreys, Arthur Frederick
Johnstone, Heywood (Sussex)
Kenyon-Slaney, Col. William
Keswick, William
King, Sir Henry Seymour
Knowles, Lees
Lafone, Alfred
Lawrence, Sir E Durning-(Corn,
Lawrence, Wm. F. (Liverpool
Lawson, John Grant (Yorks.)
Lea, Sir Thos. (Londonderry)
Lecky, Rt. Hn. William Edw. H.
Leigh-Bennett, Henry Currie
Llewelyn, Sir Dillwyn-(Sw'ns'a
Loder, Gerald Walter Erskine
Long, Col. Charles W. (Evesham
Long, Rt. Hon. W. (Liverpool)
Lopes, Henry Yarde Buller
Lowe, Francis William
Lowles, John
Loyd, Archie Kirkman
Lyttelton, Hon. Alfred
Macartney, W. G. Ellison
Macdona, John Cumming
Maclure, Sir John William
M'Arthur, Chas. (Liverpool)
M'Iver, Sir L. (Edinburgh, W.
M'Killop, James
Malcolm, Ian
Martin, Richard Biddulph
Melville, Beresford Valentine
Meysey-Thompson, Sir H. M.
Middlemore, J. Throgmorton
Milner, Sir Frederick George
Milward, Colonel Victor
Monckton, Edward Philip
Moore, William (Antrim, N.)
More, Robt. Jasper (Shropshire)
Morgan, Hon. F. (Monm'thsh.)
Morrell, George Herbert
Mount, William George
Muntz, Philip A.
Murray, Rt Hn A Graham (Bute
Murray, Charles J. (Coventry)
Myers, William Henry
Nicholson, William Graham
Nicol, Donald Ninian
O'Neill, Hon. Robert Torrens
Parkes, Ebenezer
Pease, Herbert Pike (Darlingt'n
Peel, Hon. W. Robert Wellesley
Pender, Sir James
Penn, John
Phillpotts, Captain Arthur
Platt-Higgins, Frederick
Pollock, Harry Frederick
Pretyman, Ernest George
Pryce-Jones, Lt.-Col. Edward
Purvis, Robert
Pym, C. Guy
Rankin, Sir James
Rasch, Major Frederick Carne
Remnant, James Farquharson
Rentoul, James Alexander
Richards, Henry Charles
Ridley, Rt. Hn. Sir Matthew W.
Ritchie, Rt. Hn. Chas. Thomson
Robertson, Herbert (Hackney)
Round, James
Russell, Gen. F. S. (Cheltenham
Russell, T. W. (Tyrone)
Samuel, Harry S. (Limehouse
Saunderson, Rt. Hn Col. Edw. J.
Sharpe, William Edward T.
Sidebotham, J. W. (Cheshire)
Sidebottom, T Harrop (Stalybr.
Sidebottom, Wm. (Derbysh.)
Sinclair, Louis (Romford)
Skewes-Cox, Thomas
Smith, Abel H. (Christchurch)
Smith, James Parker (Lanarks.
Smith, Hon. W. F. D. (Strand)
Stanley, Hn. Arthur (Ormskirk
Stanley, Edward Jas. (Somerset,
Stephens, Henry Charles
Stewart, Sir Mark J. M'Taggart
Stirling-Maxwell, Sir John M.
Stone, Sir Benjamin
Strauss, Arthur
Sturt, Hon. Humphry Napier
Thornton, Percy M.
Tollemache, Henry James
Tomlinson, Wm. Edw. Murray
Tritton, Charles Ernest
Tuke, Sir John Batty
Warde, Lieut.-Col. C. E. (Kent)
Whiteley, H. (Ashton-under-L.
Williams, Colonel R. (Dorset)
Williams, Jos. Powell-(Birm.
Willoughby de Eresby, Lord
Willox, Sir John Archibald
Wilson, John (Falkirk)
Wilson-Todd, Wm. H. (Yorks.)
Wodehouse, Rt. Hn. E. R. (Bath
Wortley, Rt. Hn. C. B. Stuart-
Wylie, Alexander
Wyndham, George
Wyvil, Marmaduke D'Arcy

TELLERS FOR THE AYES—
Sir William Walrond and
Mr. Anstruther.

NOES.

Abraham, William (Cork, N.E.
Ashton, Thomas Gair
Asquith, Rt. Hn Herbert Henry
Atherley-Jones, L.
Austin, M. (Limerick, W.)
Barlow, John Emmott
Beaumont, Wentworth, C. B.
Billson, Alfred
Blake, Edward
Caldwell, James
Carew, James Laurence
Causton, Richard Knight
Cawley, Frederick
Channing, Francis Allston
Crilly, Daniel
Curran, Thomas B. (Donegal)
Dalziel, James Henry
Davies, M. Vaughan-(Cardig'n
Dilke, Rt. Hon. Sir Charles
Dillon, John
Doogan, P. C.
Dunn, Sir William
Emmott, Alfred
Engledew, Charles John
Flavin, Michael Joseph
Flynn, James Christopher
Fox, Dr. Joseph Francis
Gladstone, Rt. Hn Herbert John
Goddard, Daniel Ford
Griffith, Ellis J.
Gurdon, Sir Wm. Brampton
Haldane, Richard Burdon
Hayne, Rt. Hon. Charles Seale-
Hazell, Walter
Hemphill, Rt. Hon. Charles H.
Holland, William Henry
Horniman, Frederick John
Jameson, Major J. Eustace
Johnson-Ferguson, Jabez E.
Jones, William (Carnarvonsh.)
Kearley, Hudson E.
Kitson, Sir James
Lawson, Sir Wilfrid (Cumb'land
Leese, Sir J. F. (Accrington)
Lloyd-George, David
Lough, Thomas
Macaleese, Daniel
MacDonnell, Dr. M. A. (Qn'sC.)
MacNeill, John Gordon Swift
M'Crae, George
M'Dermott, Patrick
M'Ghee, Richard
M'Hugh, Patrick A. (Leitrim
M'Kenna, Reginald
M'Laren, Charles Benjamin
M'Leod, John
Mandeville, J. Francis
Molloy, Bernard Charles
Morgan, J. Lloyd (Carmarthen)
Moulton, John Fletcher
Norton, Capt. Cecil William
O'Brien, James F. X. (Cork)
O'Brien, Patrick (Kilkenny)
O'Connor, J. (Wicklow, W.)
O'Connor, T. P. (Liverpool)
O'Dowd, John
O'Kelly, James
Oldroyd, Mark
O'Malley, William

Pease, Joseph A. (Northumb.)	Shaw, Charles Edw. (Stafford)	Trevelyan, Charles Philips
Pilkington, Sir G. A. (Lancs. SW	Sinclair, Capt. J. (Forfarshire)	Wallace, Robert
Power, Patrick Joseph	Soames, Arthur Wellesley	Walton, Joseph (Barnsley)
Price, Robert John	Souttar, Robinson	Weir, James Galloway
Provand, Andrew Dryburgh	Stanhope, Hon. Philip J.	Whiteley, George (Stockport)
Reckitt, Harold James	Steadman, William Charles	Wilson, Henry J. (York, W.R.)
Richardson, J. (Durham, S.E.)	Stevenson, Francis S.	Wilson, John (Govan)
Roberts, John H. (Denbighs.)	Strachey, Edward	Woods, Samuel
Robertson, Edmund (Dundee)	Sullivan, Donal (Westmeath)	Yoxall, James Henry
Robson, William Snowdon	Sullivan, T. D. (Donegal, W.)	TELLERS FOR THE NOES—
Samuel, J. (Stockton-on-Tees)	Tanner, Charles Kearns	Sir Thomas Esmonde and
Scott, Charles Prestwich (Leigh	Thomas, Abel (Carmarthen, E.)	Captain Donelan.

Clause 4 :—

MR. EDMUND ROBERTSON asked why the clause had been inserted, its only object being to repeal a portion of Section 7 of the Irish Church Act. He found that the schedule of this Bill consisted entirely of Acts repealed, and among the Acts mentioned was that referred to in Clause 4, in so far as it related to the sale of tithe. It was a matter of drafting. Everything in the Act of 1872 worth preserving was the definition of the word "owner."

MR. ATKINSON said Section 7 of the Act of 1872 was a very long section, and the draughtsman determined that the form adopted in the Bill with respect to the repeal was preferable, in order to make it perfectly clear what was meant.

MR. CALDWELL (Lanarkshire, Mid) said it appeared that Clause 4 was not in the Bill as drawn at first. He pointed to the provision of Clause 10, and stated it was rather curious that after completing their Act they came and stated that certain sections mentioned in the schedule should be repealed. That might be an Irish way of doing business, but it certainly was not English or Scotch.

MR. DILLON said there was another point in connection with the clause to which he desired to direct the attention of the Attorney General. Of course he would be told that he was ignorant of the drafting of Bills, but if he was ignorant he wanted to be informed. The power to purchase tithes was given by Section 32 of the Act of 1869, and the Act of 1872, as far as he could remember, did not repeal the clause in the 1869 Act. What it did say was that the clause should be in substitution of so much of Clause 32 in the Act of 1869. What he wanted to know was this: Were they sure that, if the clause in the 1869 Act was not specifically repealed, the repeal of the clause in the amending Act of 1872 would not revive the clause in the 1869 Act?

MR. ATKINSON was understood to reply that the repeal of the clause in the 1872 Act implied the repeal of the clause in the 1869 Act.

MR. DILLON said he was still unconvinced that the clause in the 1869 Act would not be revived when they repealed the amending Act of 1872. He was told now by the Attorney General that Section 7 of the 1872 Act was an implied repeal, but why not make the thing clear? They had no assurance that the interpretation put upon the statute by Ministers would not be set aside by the courts of law. They might say that the repeal was implied, but they had no repeal. He was still in doubt as to whether Clause 32 of the Act of 1869 would not come into force on the repeal of Clause 7 in the 1872 Act.

MR. CALDWELL said he did not find anything in this Bill to show that it was to be read along with the other Act. It was quite usual to find in the case of an amending Act a provision that it should be read along with the other Act.

*SERJEANT HEMPHILL said it should not be left to the courts hereafter to determine what the intention of the clause was. There was a great deal of ambiguity whether the sale of tithe rent-charges included the conversion of the old tithe rent-charges into terminable annuities. He thought so all along, and he thought so still. If the Attorney General preferred to leave the matter as it was, and if the hon. Member for East Mayo was right, it might be all the better, because tithe rent-owners would be able to redeem on the old system.

MR. DILLON said there was a very grave objection to that. It would enable landlords to redeem tithe rent-charges at twenty-two and a half years purchase. What the right hon. and learned Gentleman had said had greatly increased his alarm. There would be no remedy except by an amending Act if the courts should decide in that way, and he would like to see the Government that would bring in an amending Act if there was a mistake in this matter. Why not put a repealing clause into the Bill, which would remove all doubt on the question?

MR. ATKINSON said that as the matter stood now the 32nd Section of the 1869 Act would be entirely repealed if they repealed the 7th Section of the 1872 Act. Under the Interpretation Act of 1889 it was provided that where any Act which repealed another Act was itself repealed subsequently, that did not set up the law which had been originally repealed. They were now repealing the 7th Section of the 1872 Act, and that would not revive the clause which it repealed in the 1869 Act.

*MR. MOULTON said the difficulty which the hon. Member for East Mayo had was that there was no express repeal. There was no difference of intention, and he thought the Attorney General should consider the matter, and insert a clause which would put it beyond doubt.

MR. DILLON could not imagine what objection the right hon. and learned Gentleman had to make the matter clear by expressly repealing the clause.

MR. ATKINSON said the Interpretation Act which he had quoted put an end to the doctrine that the repeal of an Act revived a previous Act which it had repealed.

MR. DILLON said his whole objection rested on the fact that there was no express repeal. An implied repeal was of a doubtful character, and it was an arguable question.

MR. ATKINSON said he would consider the point by the Report stage.

Clause agreed to.

Clause 5:—

Question proposed, "That Clause 5 stand part of the Bill."

MR. DILLON wished to understand the full effect of this clause. Supposing a man was paying £10 a year of tithe rent-charge, and that ten years ago he got a reduction of £2, and he went on paying £8. Then came in the Medge decision, which declared the reduction illegal. Could the tithe rent-charge owner sue for £20 of arrears?

MR. ATKINSON said the clause set forth that the payments made would be deemed valid and sufficient in cases where the arrears had not been recovered up to the passing of the Act.

MR. DILLON said the clause would work in an extraordinary way. Suppose he was the owner of a tithe rent-charge, and that it had been reduced £2 a year—he and the tithe-payer believing that to be legal—and the tithe rent-charge payer meant only paying the reduced sum. But ten years after it was discovered that the reduction was illegal. He then served a summons on the tithe rent-charge payer for £20—the amount of arrears—and obtained a judgment order of the court of quarter sessions for the amount. If he recovered under that judgment order before the Act came into force, good and well; but if he kept the order in his pocket until the Bill passed into law, was that judgment order then nil?

MR. ATKINSON said they must draw the line somewhere. All that the clause provided was that after the Act was passed the tithe-owner should be prevented coming down on the tithe rent-charge payer to recover anything beyond what had been paid according to the last revision. But, if before the Act was passed the tithe-owners had got a judgment for the amount of arrears, then that became a judgment debt which the tithe rent-charge payer was bound to pay.

MR. T. P. O'CONNOR said after the explanation of the Attorney General the proper title of the Bill ought to be "A new way to pay old debts." The boon to be given by the Bill was that the offence for which there was no forgiveness was to pay your debts.

MR. DILLON thought the clause a monstrous one, and he should be obliged to divide against it.

Question put.

The Committee divided:—Ayes, 175; Noes, 77. (Division List No. 196.)

Acland-Hood, Capt Sir Alex. F.
Arroll, Sir William
Ashmead-Bartlett, Sir Ellis
Atkinson, Rt. Hon. John
Bailey, James (Walworth)
Balfour, Rt. Hon. A. J. (Manch'r
Balfour, Rt Hn Gerald W (Leeds
Banbury, Frederick George
Barry, Rt Hn A H Smith-(Hunts
Beach, Rt. Hn. Sir M. H (Bristol)
Beach, Rt. Hon. W. W. B (Hants
Beckett, Ernest William
Bemrose, Sir Henry Howe
Bigwood, James
Bill, Charles
Blakiston-Houston, John
Blundell, Colonel Henry
Bond, Edward
Brassey, Albert
Brodrick, Rt. Hon. St. John
Butcher, John George
Carlile, William Walter
Carson, Rt. Hon. Sir Edw. H.
Cavendish, R. F. (N. Lancs.)
Cavendish, V. C. W. (Derbys.
Cayzer, Sir Charles William
Cecil, Evelyn (Hertford, East)
Cecil, Lord Hugh (Greenwich)
Chamberlain, Rt. Hon. J. (Birm.
Chamberlain, J Austen (Worc'r
Chaplin, Rt. Hon. Henry
Charrington, Spencer
Chelsea, Viscount
Cohen, Benjamin Louis
Collings, Rt. Hon. Jesse
Colomb, Sir John Charles Ready
Corbett, A. Cameron (Glasgow
Cornwallis, Fiennes Stanley W.
Cross, Alexander (Glasgow)
Curzon, Viscount
Dalkeith, Earl of
Dalrymple, Sir Charles
Denny, Colonel
Digby, John K. D. Wingfield-
Disraeli, Coningsby Ralph
Douglas, Rt. Hon. A. Akers-
Doxford, Sir William Theodore
Dyke, Rt. Hon Sir William Hart
Elliot, Hon. A. Ralph Douglas
Faber, George Denison
Fellowes, Hon. Ailwyn Edw.
Finch, George H.
Finlay, Sir Robert Bannatyne
Firbank, Joseph Thomas
Fisher, William Hayes
FitzGerald, Sir Robert Penrose-
Fitz Wygram, General Sir F.
Flower, Ernest
Foster, Harry S. (Suffolk)
Galloway, William Johnson
Garfit, William
Gedge, Sydney
Gibbs, Hn. A. G. H. (Cy of Lond.
Godson, Sir Augustus Fred.
Goldsworthy, Major-General
Gordon, Hon. John Edward
Goschen, George J. (Sussex)
Goulding, Edward Alfred
Graham, Henry Robert
Green, W. D. (Wednesbury)
Greene, Hy. D. (Shrewsbury)
Greville, Hon. Ronald
Gull, Sir Cameron
Hamilton, Rt. Hon. Lord Geo.
Hanbury, Rt. Hn. Robert W.
Hanson, Sir Reginald
Hardy, Laurence
Hoare, Sir Samuel (Norwich)
Hobhouse, Henry
Howorth, Sir Henry Hoyle
Hudson, George Bickersteth
Hutchinson, Capt. G. W. Grice-
Jackson, Rt. Hon. William L.
Jeffreys, Arthur Frederick
Johnstone, Heywood (Sussex)
Kenyon-Slaney, Col. William
Keswick, William
Knowles, Lees
Lafone, Alfred
Lawrence, Sir E. Durning-(Corn
Lawrence, W. F. (Liverpool)
Lawson, John Grant (Yorks.)
Lea, Sir Thomas (Londonderry)
Lecky, Rt. Hon. Wm. Edw. H.
Leigh-Bennett, Henry Currie
Llewelyn, Sir Dilwyn. (Swansea
Loder, Gerald Walter Erskine
Long, Col. Chas. W. (Evesham
Long, Rt. Hn. W. (Liverpool)
Lopes, Henry Yarde Buller
Lowe, Francis William
Lowles, John
Loyd, Archie Kirkman
Macartney, W. G. Ellison
Macdona, John Cumming.
Maclure, Sir John William
M'Arthur, Charles (Liverpool
M'Iver, Sir L. (Edinburgh, W.
M'Killop, James
Malcolm, Ian
Martin, Richard Biddulph
Massey-Mainwaring, Hn. W. F.
Melville, Beresford Valentine
Middlemore, Jn. Throgmorton
Milbank, Sir Powlett Chas. J.
Milner, Sir Frederick George
Milward, Colonel Victor
Moore, William (Antrim, N.)
More, Robt. J. (Shropshire)
Morgan, Hon. F. (Monm'thsh.
Morrell, George Herbert
Morton, Arthur H. A. (Deptford
Mount, William George
Murray, Rt. Hon. A. G. (Bute
Murray, Chas. J. (Coventry)
Nicholson, William Graham
Nicol, Donald Ninian
O'Neill, Hon. Robert Torrens
Parkes, Ebenezer
Pease, Herbert P. (Darlington
Pender, Sir James
Penn, John
Phillpotts, Captain Arthur
Platt-Higgins, Frederick
Pollock, Harry Frederick
Pryce-Jones, Lt -Col. Edward
Purvis, Robert
Remnant, James Farquharson
Rentoul, James Alexander
Richards, Henry Charles
Ridley, Rt. Hn. Sir Matthew W.
Ritchie, Rt. Hn. Chas. Thomson
Roberston, Herbert (Hackney
Round, James
Russell, T. W. (Tyrone)
Samuel, Harry S. (Limehouse)
Saunderson, Rt. Hon. Col. E. J.
Sharpe, William Edward T.
Sidebotham, J. W. (Cheshire)
Sidebottom, Wm. (Derbysh.)
Sinclair, Louis (Romford)
Skewes-Cox, Thomas
Smith, Abel H. (Christchurch)
Smith, James Parker (Lanarks.
Smith, Hon. W. F. D. (Strand)
Stanley, Hon Arthur (Ormskirk
Stanley, Edward J. (Somerset)
Stephens, Henry Charles
Stirling-Maxwell, Sir John M.
Strauss, Arthur
Sturt, Hon. Humphry Napier
Thornton, Percy M.
Tollemache, Henry James
Tomlinson, Wm. Edw. Murray
Tuke, Sir John Batty
Warde, Lieut.-Col. C. E. (Kent)
Williams, Colonel R. (Dorset)
Williams, John Carvell (Notts)
Willoughby de Eresby, Lord
Willox, Sir John Archibald
Wilson, John (Falkirk)
Wortley, Rt. Hon. C. B. Stuart-
Wylie, Alexander
Wyndham, George
Wyvill, Marmaduke D'Arcy

TELLERS FOR THE AYES—
Sir William Walrond and
Mr. Anstruther.

NOES.

Abraham, Wm. (Cork, N.E.)
Austin, M. (Limerick, W.)
Barlow, John Emmott
Beaumont, Wentworth C. B.
Billson, Alfred
Caldwell, James
Cawley, Frederick
Channing, Francis Allston
Crilly, Daniel
Dalziel, James Henry
Davies, M. Vaughan-(Cardig'n
Dilke, Rt. Hon. Sir Charles
Dillon, John
Doogan, P. C.
Dunn, Sir William

Emmott, Alfred
Engledew, Charles John
Flavin, Michael Joseph
Flynn, James Christopher
Gladstone, Rt. Hon. Herbt. J.
Goddard, Daniel Ford
Griffith, Ellis J.
Hayne, Rt. Hon. Charles Seale-
Hazell, Walter
Hemphill, Rt. Hon. Charles H.
Horniman, Frederick John
Jameson, Major J. Eustace
Jones, William (Carnarvonsh.)
Kearley, Hudson E.
Kitson, Sir James
Lawson, Sir W. (Cumberland)
Leese, Sir J. F. (Accrington)
Macaleese, Daniel
MacDonnell, Dr. M. A. (Qu'sC.)
MacNeill, John Gordon Swift
M'Arthur, William (Cornwall)
M'Crae, George
M'Dermott, Patrick
M'Ghee, Richard
M'Hugh, Patrick A. (Leitrim)
M'Laren, Charles Benjamin
M'Leod, John
Mandeville, J. Francis
Moulton, John Fletcher
O'Connor, James (Wicklow, W.
O'Connor, T. P. (Liverpool)
O'Dowd, John
O'Kelly, James
Oldroyd, Mark
O'Malley, William
Pease, Joseph A. (Northumb)
Power, Patrick Joseph
Price, Robert John
Provand, Andrew Dryburgh
Reckitt, Harold James
Richardson, J. (Durham, S. E.)
Roberts, John H. (Denbighs.)
Samuel, J. (Stockton-on-Tees)
Scott, Chas. Prestwich (Leigh
Shaw, Charles Edw. (Stafford)
Soames, Arthur Wellesley
Souttar, Robinson
Stanhope, Hon. Philip J.
Steadman, William Charles
Sullivan, Donal (Westmeath)
Sullivan, T. D. (Donegal, W.
Tanner, Charles Kearns
Tennant, Harold John
Thomas, Abel (Carmarthen, E.)
Trevelyan, Charles Philips
Wallace, Robert
Walton, Joseph (Barnsley)
Weir, James Galloway
Whiteley, George (Stockport)
Wilson, Frederick W. (Norfolk)
Wilson, Henry J. (York, W. R.
Yoxall, James Henry

TELLERS FOR THE NOES—Captain Donelan and Mr. Patrick O'Brien.

Clause 6 :—

Question proposed, "That Clause 6 stand part of the Bill."

MR. DILLON said he did not intend to move the Amendment standing in the name of the hon. Member for North Louth; but he desired to say a few words on the clause itself, which was an extreme illustration of the absurd methods of the present Government. As he understood the speech of the right hon. Gentleman in introducing the Bill, under this clause it was proposed to recover from the Church Fund £6,000 a year, and then to pay out of it £30,000 a year. The Act of 1898 had tied the whole rating system of Ireland into a knot, and under this clause further complications would be introduced.

MR. ATKINSON explained the object of the Clause. It provided as follows—

"The amount of tithe rent-charge payable by any person as from the first day of November, One Thousand Eight Hundred and Ninety-eight, shall be deemed to have been and shall hereafter be reduced in respect of every pound in value thereof :—

(*a.*) if the tithe rent-charge is payable out of hereditaments situate within a rural district, by one-half of the standard rate of poor rate certified under Section 49 of the Local Government (Ireland) Act, 1898, as having been levied off those hereditaments; and

(*b.*) if the tithe rent-charge is payable out of hereditaments situate within an urban district, by the whole of such standard rate so certified as having been levied off those hereditaments."

The last section of the clause provided that if a person had paid more than he ought to have paid a deduction might be made in the manner prescribed.

MR. DILLON wished to know how many Members of the House understood the explanation. The Attorney General had done his best to make it clear, but he had made it as clear as a London fog in November. This would be a fruitful cause of disputes. It was an illustration of the tangle into which the whole rating system of Ireland had been thrown.

Question put and agreed to.

Clause 7 :—

Question proposed, "That Clause 7 stand part of the Bill."

MR. DILLON said that so far as he understood the clause it was of rather an extraordinary character. He did not know the object of putting it in the Bill at all. The clause appeared to have for its object to split up without any limit or discretion in the Land Commission the liability for the tithe rent-charges. Take, for instance, a tithe rent-charge of £10 or £20, that would be split up between twenty or thirty persons, leaving each only liable for his own share. Before attempting to argue against the clause he wanted to know the object of it and the motive for introducing it.

MR. ATKINSON said the hon. Member was the first person he had ever heard of who objected to a provision for apportioning rent-charge or any other charge. To have no power of apportioning the charge gave rise to the greatest inconvenience and difficulty in

dealing with property. In the case of property out of which tithe rent-charge issued which was owned by several persons, the clause enabled the charge to be apportioned according to their individual interests.

MR. DILLON said the Attorney General had abstained from explaining what motive the Government had in introducing this clause.

MR. ATKINSON said it would enable a particular owner to have the charge properly and rightly adjusted.

MR. DILLON said the right hon. Gentleman has still declined to explain what relation it had to the present Bill. He very much desired £1,000 a year added to his income—he wondered if the hon. Gentleman would introduce a Bill for that purpose. There was no justification for the clause, and it had no connection with the rest of the Bill. The clause struck at the security of all these charges. The power of apportioning the tithe given to the Land Commission was for a wholly different purpose, and to meet a great public need. The Commissioners were required to exercise that power with due regard to the security of the charge, and they rarely exercised it, though they did redeem the tithe. The radical difference between the power given the Land Commission and the proposal in the clause was that in the first case it was in connection with the great system of land purchase, and to facilitate the sale of land to occupying tenants but this proposal was objectionable and injurious because it was for the purpose of facilitating and encouraging the sale of land, not to tenants, but to others who wished to buy over the heads of tenants. He must persist in his opposition.

MR. SWIFT MACNEILL said the clause was not in accordance with the tenor and spirit of the Bill. It was a complete excrescence on the Bill. It was a disgraceful, mean, and cowardly fraud perpetrated in the interest of the rich against the poor.

Question put.

The Committee divided :—Ayes, 163 ; Noes, 72. (Division List No. 197.)

AYES.

Acland-Hood, Capt. Sir Alex. F.
Arrol, Sir William
Ashmead-Bartlett, Sir Ellis
Atkinson, Rt. Hon. John
Balfour, Rt. Hon. A. J. (Manch'r
Balfour, Rt Hn Gerald W (Leeds
Banbury, Frederick George
Barry, Rt. Hn. A. H. S. (Hunts.
Beach, Rt. Hn. Sir M. H. (Bristol
Beach, Rt. Hn. W. W. B. (Hants.
Beckett, Ernest William
Bemrose, Sir Henry Howe
Bigwood, James
Bill, Charles
Blakiston-Houston, John
Blundell, Colonel Henry
Bond, Edward
Brassey, Albert
Brodrick, Rt. Hon. St. John
Bullard, Sir Harry
Butcher, John George
Carlile, William Walter
Carson, Rt. Hon. Sir Edw. H.
Cavendish, R. F. (N. Lancs.)
Cavendish, V. C. W (Derbyshire
Cayzer, Sir Charles William
Cecil, Evelyn (Hertford, East)
Cecil, Lord Hugh (Greenwich)
Chamberlain, Rt. Hon J. (Birm.
Chamberlain, J Austen (Worc'r
Chaplin, Rt. Hon. Henry
Charrington, Spencer
Chelsea, Viscount
Cohen, Benjamin Louis
Collings, Rt. Hon. Jesse
Colomb, Sir John Chas. Ready
Corbett, A. Cameron (Glasgow)
Cornwallis, Fiennes Stanley W.
Curzon, Viscount
Dalkeith, Earl of
Dalrymple, Sir Charles
Denny, Colonel
Digby, John K. D. Wingfield-
Disraeli, Coningsby Ralph
Douglas, Rt. Hon. A. Akers-
Doxford, Sir William Theodore
Dyke, Rt Hon. Sir William Hart
Elliot, Hon. A. Ralph Douglas
Faber, George Denison
Fellowes, Hon. Ailwyn Edward
Finch, George H.
Finlay, Sir Robert Bannatyne
Firbank, Joseph Thomas
Fisher, William Hayes
FitzGerald, Sir Robert Penrose
Flower, Ernest
Foster, Colonel (Lancaster)
Foster, Harry S. (Suffolk)
Galloway, William Johnson
Garfit, William
Gedge, Sydney
Gibbs, Hn A. G. H. (City of Lond.
Godson, Sir Augustus Fred.
Goldsworthy, Major-General
Gordon, Hon. John Edward
Goschen, George J. (Sussex)
Goulding, Edward Alfred
Graham, Henry Robert
Green, Walford D (Wednesbury
Greene, Henry D. (Shrewsbury)
Greville, Hon. Ronald
Gull, Sir Cameron
Hamilton, Rt Hon Lord George
Hanbury, Rt. Hon. Robert Wm.
Hanson, Sir Reginald
Hardy, Laurence
Hoare, Sir Samuel (Norwich)
Hobhouse, Henry
Hudson, George Bickersteth
Hutchinson, Capt. G. W. Grice-
Jackson, Rt. Hon. Wm. Lawies
Jeffreys, Arthur Frederick
Kenyon-Slaney, Col. William
Keswick, William
Knowles, Lees
Lafone, Alfred
Lawrence, Sir E Durning- (Corn
Lawrence, Wm. F. (Liverpool
Lawson, John Grant (Yorks.)
Lecky, Rt Hon William Edw. H.
Leigh-Bennett, Henry Currie
Llewelyn, Sir Dillwyn- (S'wns'e
Loder, Gerald Walter Erskine
Long, Col. Chas. W. (Evesham)
Long, Rt. Hon. Walter (Liverp'l
Lopes, Henry Yarde Buller
Lowles, John
Loyd, Archie Kirkman
Macartney, W. G. Ellison
Macdona, John Cumming
Maclure, Sir John William
M'Arthur, Charles (Liverpool)
M'Iver, Sir Lewis (Edinburgh W
M'Killop, James
Malcolm, Ian

Massey-Mainwaring, Hn. W. F.
Melville, Beresford Valentine
Middlemore, John Throgmort'n
Milbank, Sir Powlett Chas. J.
Milner, Sir Frederick George
Milward, Colonel Victor
Moore, William (Antrim, N.)
More, Robert J. (Shropshire)
Morgan, Hn. F. (Monmouthsh.)
Morrell, George Herbert
Morton, Arthur H. A. (Deptford
Mount, William George
Murray, Rt. Hn. A. G. (Bute)
Murray, Charles J. (Coventry)
Nicholson, William Graham
Nicol, Donald Ninian
O'Neill, Hon. Robert Torrens
Parkes, Ebenezer
Pease, Herbert P. (Darlington)
Pender, Sir James
Penn, John
Phillpotts, Captain Arthur
Platt-Higgins, Frederick
Pryce-Jones, Lt.-Col. Edward
Purvis, Robert
Remnant, James Farquhar
Rentoul, James Alexander
Richards, Henry Charles
Ridley, Rt. Hon. Sir M. W.
Ritchie, Rt. Hon. Charles T.
Robertson, Herbert (Hackney)
Russell, T. W. (Tyrone)
Saunderson, Rt. Hn. Col. E. J.
Sidebotham, J. W. (Cheshire)
Sidebottom, Wm. (Derbyshire)
Sinclair, Louis (Romford)
Skewes-Cox, Thomas
Smith, Abel H. (Christchurch)
Smith, James P. (Lanarks.)
Smith, Hon. W. F. D. (Strand)
Stanley, Hon. A. (Ormskirk)
Stanley, Edward J. (Somerset)
Stirling-Maxwell, Sir John M.
Sturt, Hon. Humphry Napier
Thornton, Percy M.
Tollemache, Henry James
Tomlinson, Wm. Edw. M.
Tuke, Sir John Batty
Warde, Lieut.-Col. C. E. (Kent
Williams, Colonel R. (Dorset)
Williams, Jos. Powell- (Birm.
Willoughby de Eresby, Lord
Willox, Sir John Archibald
Wilson, John (Falkirk)
Wortley, Rt. Hon. C. B. Stuart-
Wylie, Alexander
Wyndham, George
Wyvill, Marmaduke D'Arcy

TELLERS FOR THE AYES—
Sir William Walrond and
Mr. Anstruther.

NOES.

Abraham, William (Cork N.E.)
Austin, M. (Limerick, W.)
Barlow, John Emmott
Beaumont, Wentworth C. B
Billson, Alfred
Caldwell, James
Cawley, Frederick
Channing, Francis Allston
Crilly, Daniel
Dalziel, James Henry
Davies, M. Vaughan-(Cardigan
Dilke, Rt. Hn. Sir Charles
Dillon, John
Doogan, P. C.
Dunn, Sir William
Emmott, Alfred
Engledew, Charles John
Flavin, Michael Joseph
Flynn, James Christopher
Gladstone, Rt. Hn Herbert John
Goddard, Daniel Ford
Griffith, Ellis J.
Hayne, Rt. Hon. Charles Seale-
Hazell, Walter
Horniman, Frederick John
Jameson, Major J. Eustace
Jones, William Carnarvonsh.
Lawson, Sir Wilfrid (Cum'land
Leese, Sir Joseph F. (Accrington
Macaleese, Daniel
MacDonnell, Dr MA (Queen'sC
MacNeill, John Gordon Swift
M'Crae, George
M'Dermott, Patrick
M'Ghee, Richard
M'Hugh, Patrick A. (Leitrim)
M'Laren, Charles Benjamin
M'Leod, John
Mandeville, J. Francis
Moulton, John Fletcher
O'Connor, James (Wicklow, W.
O'Connor, T. P. (Liverpool)
O'Dowd, John
O'Kelly, James
Oldroyd, Mark
O'Malley, William
Pease, Joseph A. (Northumb.)
Power, Patrick Joseph
Price, Robert John
Provand, Andrew Dryburgh
Reckitt, Harold James
Richardson, J. (Durham, S.E.)
Roberts, John H. (Denbighs.)
Samuel, J. (Stockton-on-Tees)
Scott, Chas. Prestwich (Leigh)
Shaw, Charles Edw. (Stafford)
Soames, Arthur Wellesley
Souttar, Robinson
Stanhope, Hon. Philip J.
Steadman, William Charles
Sullivan, Donal (Westmeath)
Sullivan, T. D. (Donegal, W.)
Tanner, Charles Kearns
Tennant, Harold John
Thomas, Abel (Carmarthen, E.)
Trevelyan, Charles Philips
Walton, Joseph (Barnsley)
Weir, James Galloway
Whiteley, George (Stockport)
Wilson, Frederick W. (Norfolk)
Wilson, Henry J. (York, W.R.)
Yoxall, James Henry

TELLERS FOR THE NOES—
Captain Donelan and Mr.
Patrick O'Brien.

Clauses 8, 9, and 10 agreed to.

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): It will be in the recollection of the Committee that on the first day in Committee on this Bill a debate arose on an Amendment standing in the name of the hon. and learned Member for North Louth. It was then proposed by the hon. and learned Gentleman that if the Government would accept the principle of the Amendment the discussion on the Committee stage of the Bill might be narrowed down to reasonable limits. Certainly I understood, at the time when the Government acceded to that request, that the debates in Committee would be limited. That hope has been disappointed. The discussions have been by no means narrow, but of a most extensive description. I consider, however, that the Government are bound to introduce the Amendment on the Paper, but I see no reason why in carrying out that pledge we should give an occasion for further argument of the kind of which we have had so much to-day. I do not propose, therefore, to move the Amendment at this stage, but when we reach the Third Reading the Chief Secretary will move that the Bill be re-committed, which will give the fullest opportunity for carrying out the wish expressed on Tuesday that this subject should be brought on for discus-

sion at an early rather than a late period of the evening. I hope this view will commend itself to all parties in the House.

MR. DILLON thought that the right hon. Gentleman the Leader of the House had been somewhat unfair to him, because although at the commencement of the discussion on this Bill the hon. Member for North Louth had indicated that if the principle of his Amendment was adopted by the Government he hoped the discussion would be concluded on Tuesday last, the hon. and learned Member for North Louth only spoke for himself. If it were a question of an honourable understanding he was perfectly prepared to justify the action he had taken. He got up immediately, and although he had every reason to be grateful to the hon. and learned Member for North Louth for the able assistance he gave and for one or two speeches he made, he said that while he did not deny the right of the hon. and learned Member to speak for himself, so far as he was concerned there was no understanding of the nature to which the First Lord of the Treasury had alluded. He had been requested by the chairman of his party to take charge of the conduct of the Bill through the House, and he had communicated, through the usual channels, with the right hon. Gentleman, and had agreed that the Second Reading should be taken on a certain date; but on being asked if the Committee stage would finish in a reasonable time he said he could give no pledge, because he regarded this Bill as one which the Irish Members should oppose by every means in their power. It was perfectly understood that the Bill was to be fought by every legitimate means, provided the Government did not make any concessions. They had not got a single concession, and that was not the way any Government proceeded if it desired to facilitate the passing of a Bill. He thought the right hon. Gentleman had not a single scrap of evidence in support of the attitude that had been taken up. He had always intended to oppose the Bill as long as he could find a foothold, unless substantial concessions were to be made. They had come to the end of the Bill, and had not been able to get a single Amendment adopted by the Government. He did not think that that was the way to appeal to the Irish Members to facilitate Irish Bills, or to encourage them to place any confidence in the fairness either of the Government or of the House. It was absurd to imagine that a Bill of this kind, full of technicalities and very badly drafted, could not be improved by any Amendment. The Irish Members, from beginning to end, had been met by the most dogged opposition to every improvement which they had suggested; and, in fact, they had been hardly treated to the ordinary civility of an answer to their arguments. The Government depended on defeating these Amendments by summoning their supporters from the lobbies and the smoking-rooms. He maintained that the effect of Clauses 2 and 3 would be to reduce the tithe rent-charge in Ireland, which by the present law was invariable, from 14th November next, from 40 to 50 per cent. in the south of Ireland, and further reduce it fifteen years hence by another 40 or 50 per cent. In May, 1896, under the Land Act of that year, the Land Commission obtained power, in the case of the sale of lands in Ireland to occupying tenants, to redeem the tithe rent-charges at twenty years purchase—the original price being twenty-two and a half years purchase, fixed by the Act of 1872. When the Chief Secretary was moving the Second Reading of this Bill he endeavoured to persuade the House that the Church Fund would be perfectly solvent, even after this Bill was passed. He asked the right hon. Gentleman whether his calculations were based on the idea that there would be no more sales of land in Ireland. The right hon. Gentleman replied "Yes"; that was to say that the Treasury Minute professing to show the solvency of the Church Fund was based on the assumption that the sales of land in the Land Courts would cease. But they all knew that they had not ceased; on the contrary, they were likely to increase enormously during the next seven or eight years. Every £100 of tithe rent-charge sold at twenty years purchase took £40 a year off the revenue of the Church Fund. If the Amendment he now proposed was not accepted the tithe rent-charge, which had already been reduced 20 per cent., would therefore be reduced a further 40 per cent. The effect of this, if carried, would be to bankrupt the fund in the near future

beyond all question. Having given this reduction, the Land Commission should in the future be able to fix the redemption price at not less than twenty-five years purchase. He fixed that period because he did not think it was unreasonable that the tithe rent-charge, being a first charge on the land, should be put on the same level as quit rent.

New clause—

"After the passing of this Act, when the Land Commission order the redemption of tithe rent-charge in pursuance of Section 15 of The Land Law (Ireland) Act, 1887, the price fixed shall not be less than twenty-five years' purchase."—(*Mr. Dillon.*)

—brought up and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

MR. G. W. BALFOUR submitted that the clause in the Bill was sufficient to meet the necessities of the case, and he should be reluctant to introduce anything in the Bill which would have a prejudicial effect on a great number of landowners.

MR. SWIFT MACNEILL: The right hon. Gentleman is well aware—or he ought to be well aware, because he signalised his entry into office by giving peremptory orders to the judges—how to arrange matters.

MR. G. W. BALFOUR: It is quite untrue.

MR. SWIFT MACNEILL: The statement I make I adhere to. The right hon. Gentleman wrote a letter to Judge Bewley.

*THE CHAIRMAN: That question is very remote from the point now before the Committee.

MR. SWIFT MACNEILL: That is quite true, and I will not pursue it; but the right hon. Gentleman has said that what I stated is quite untrue, and I wish to state that he, the very first time he addressed this House as Chief Secretary, stated that he had written a letter to Mr. Justice Bewley.

*THE CHAIRMAN: I must ask the hon. Gentleman not to go into that question.

MR. SWIFT MACNEILL: It is only a personal explanation, Mr. Lowther, and I adhere to what I said. The right hon. Gentleman must be well aware what is the practice of the Land Commission, which is to fix the redemption at twenty years purchase. This Amendment of my hon. friend fixes the minimum at twenty-five years. I hope my hon. friend will press this Amendment. I must say that the discussions on this Bill on the part of the Government have been conducted in a manner which I never recollect in my fourteen years Parliamentary experience. I never remember such small information given, such scant Parliamentary courtesy extended to others, and such small conciliation. I have no recollection of a Bill of this kind passing through Committee without being amended by a jot or line, although we have pressed Amendments again and again. The true character of the Bill is that it is a dole to the landlords.

*THE CHAIRMAN: The hon. Member is reviewing the whole Bill.

MR. SWIFT MACNEILL: I was arguing in favour of this Amendment. [Cries of "Oh!"] Hon. Members at twenty minutes past one are bad judges whether I was or was not, especially in that part of the House. I think the proposal of my hon. friend is reasonable.

MR. T. P. O'CONNOR thought he was bound to say something in support of the Amendment. The right hon. Gentleman had laid down the extraordinary doctrine that land purchase was not going to proceed at a large or accelerated pace within the next few years. That was one of the reasons why the right hon. Gentleman thought that the fund would not be so largely diminished. Nobody knew better than the right hon. Gentleman that land purchase had considerably accelerated within the last few years. As a matter of fact, the whole tendency in Ireland was towards an increase of land purchase. He had little doubt that the right hon. Gentleman, if he should still be in office, would,

be seen introducing a compulsory land purchase system before many years, perhaps months, were over. At present the Land Commission redeems tithe at twenty years purchase, but under the Bill the period would be reduced to fifteen years. Was not nearly every Irish Member, with the single exception of the right hon. and gallant Member for North Armagh, who represented an Ulster constituency, pledged to compulsory land purchase? He asked anyone acquainted with the history of Ireland if there was a single demand which was backed up by united Ireland—by Nationalists and Unionists combined—which the House would not ultimately adopt if it did not cost the English taxpayer a penny or inflict a burden on Imperial taxation. Therefore, compulsory purchase would take its place on the Statute-book of these realms in the near future. Applying that political probability — he might say political certainty—to this Bill, it followed that, all over Ireland, the tithe rent-charge would have to be redeemed on the reduced scale. In other words, the tithe rent-charge now redeemed at an average of twenty years purchase would be redeemed at twelve years purchase; and in some parts of Ireland—notably in the province of Ulster—it would come to a vanishing point. Therefore by these links of reasoning he had proved that this Bill in its present shape would practically lead to the extinction at no distant date of the Church Fund. There was a way of preventing that evil consequence, and that was that if the tithe was to be seriously reduced, the term of purchase should be increased. His hon. friend suggested in his Amendment that it should be increased to twenty-five years purchase. He put it to men of impartial mind on either side of the House that, if the period of redemption was reduced from twenty-two and a half to twenty years purchase, the loss in many of the counties in Ireland would be from 20 to 30 per cent. He knew the Government would reject the Amendment, but he offered his hon. friend this congratulation—that the Government would not reject it on its merits. The right hon. Gentleman in charge of the Bill knew that the longer it was discussed the more it was discredited, and therefore he was anxious to prevent another stage for discussion. It might be good Parliamentary tactics, for the right hon. Gentleman had the forces of the Ministry behind him, to recommit the Bill on Third Reading, instead of adopting the ordinary course of passing the Amendment now and allowing the Bill to be discussed on Report; but he condemned that course, of which there were few examples in the history of the House, and he would give the Amendment his strongest support.

MR. DILLON thought that the Chief Secretary in his last speech had distinguished himself quite as much as in his previous speeches. He had been obliged to admit that the Land Commission ought to charge 22½ years purchase for the redemption of the tithe rent-charge, but he airily assumed that the Land Commission, which was carefully packed, had been pressing and badgering the Government to reduce the rate from 22½ years to twenty years. They had, in fact, been at that game for twenty years past, and at last they had got the Treasury to allow them to reduce the period of redemption from 22½ to twenty years. But could the right hon. Gentleman point to a single case in which the tithe rent-charge had been redeemed at more than twenty years purchase? The right hon. Gentleman knew perfectly well that they never redeemed at the maximum of 22½ years, and that their unbroken practice was to allow redemption at twenty years.

Question put.

The Committee divided:—Ayes, 64; Noes, 147. (Division List No. 198.)

AYES.

Abraham, William (Cork, N.E.)	Channing, Francis Allston	Doogan, P. C.
Austin, M. (Limerick, W.)	Crilly, Daniel	Emmott, Alfred
Beaumont, Wentworth C. B.	Dalziel, James Henry	Engledew, Charles John
Billson, Alfred	Davies, M. Vaughan-(Cardigan	Flavin, Michael Joseph
Caldwell, James	Dilke, Rt. Hon. Sir Charles	Flynn, James Christopher
Cawley, Frederick	Dillon, John	Gladstone, Rt. Hn. Herbert J.

Mr. T. P. O'Connor.

Goddard, Daniel Ford
Griffith, Ellis J.
Hayne, Rt. Hon. Charles Seale-
Hazell, Walter
Horniman, Frederick John
Jameson, Major J. Eustace
Jones, William (Carnarvonsh.)
Lawson, Sir W. (Cumberland)
Leese, Sir J. F. (Accrington)
Macaleese, Daniel
MacNeill, John Gordon Swift
M'Dermott, Patrick
M'Ghee, Richard
M'Hugh, Patrick A. (Leitrim)
M'Laren, Charles Benjamin
M'Leod, John
Mandeville, J. Francis
Moulton, John Fletcher
O'Connor, James (Wicklow, W.
O'Connor, T. P. (Liverpool)
O'Dowd, John
O'Kelly, James
Oldroyd, Mark
O'Malley, William
Pease, Joseph A. (Northumb.)
Power, Patrick Joseph
Price, Robert John
Provand, Andrew Dryburgh
Reckitt, Harold James
Richardson, J. (Durham, S. E.)
Samuel, J. (Stockton-on-Tees)
Scott, Chas. Prestwich (Leigh)
Shaw, Chas. Edw. (Stafford)
Stanhope, Hon. Philip J.
Steadman, William Charles
Sullivan, Donal (Westmeath)
Sullivan, T. D. (Donegal, W.)
Tanner, Charles Kearns
Tennant, Harold John
Thomas, A. (Carmarthen, E.)
Trevelyan, Charles Philips
Walton, Joseph (Barnsley)
Weir, James Galloway
Whiteley, George (Stockport)
Wilson, Frederick W. (Norfolk
Yoxall, James

TELLERS FOR THE AYES—Captain Donelan and Mr. Patrick O'Brien.

NOES.

Acland-Hood, Capt. Sir A. F.
Arrol, Sir William
Ashmead-Bartlett, Sir Ellis
Atkinson, Rt. Hon. John
Balfour, Rt. Hn. A. J. (Manch'r)
Balfour, Rt. Hn. G. W. (Leeds)
Barry, Rt. Hn. A. H. S. (Hunts.)
Beach, Rt. Hn. Sir M. H. (Brist'l)
Beach, Rt. Hn. W. W. B. (Hants.
Beckett, Ernest William
Bemrose, Sir Henry Howe
Bill, Charles
Blakiston-Houston, John
Blundell, Colonel Henry
Bond, Edward
Brassey, Albert
Brodrick, Rt. Hon. St. John
Bullard, Sir Harry
Butcher, John George
Carlile, William Walter
Carson, Rt. Hon. Sir Edw. H.
Cavendish, R. F. (N. Lancs.)
Cavendish, V. C. W. (Derbysh.)
Cayzer, Sir Charles William
Cecil, Evelyn (Hertford, East)
Cecil, Lord Hugh (Greenwich)
Chamberlain, Rt. Hn. J. (Birm.)
Chamberlain, J. Austen (Worc'r
Chaplin, Rt. Hon. Henry
Charrington, Spencer
Chelsea, Viscount
Cohen, Benjamin Louis
Collings, Rt. Hon. Jesse
Corbett, A. Cameron (Glasgow
Cornwallis, Fiennes Stanley W.
Curzon, Viscount
Dalkeith, Earl of
Dalrymple, Sir Charles
Denny, Colonel
Digby, John K. D. Wingfield-
Disraeli, Coningsby Ralph
Douglas, Rt. Hon. A. Akers-
Doxford, Sir William Theodore
Dyke, Rt. Hon. Sir Wm. Hart
Fellowes, Hon. Ailwyn Edward
Finch, George H.
Finlay, Sir Robert Bannatyne
Firbank, Joseph Thomas
Fisher, William Hayes
FitzGerald, Sir Robert Penrose-
Flower, Ernest
Foster, Colonel (Lancaster)
Foster, Harry S. (Suffolk)
Galloway, William Johnson
Garfit, William
Gedge, Sydney
Gibbs, Hon. A. G. H. (City of Lond.
Godson, Sir Augustus Fred.
Goldsworthy, Major-General
Gordon, Hon. John Edward
Goschen, George J. (Sussex)
Goulding, Edward Alfred
Graham, Henry Robert
Green, W. D. (Wednesbury)
Greville, Hon. Ronald
Gull, Sir Cameron
Hamilton, Rt. Hon. Lord George
Hanbury, Rt. Hon. Robert Wm.
Hanson, Sir Reginald
Hardy, Laurence
Hoare, Sir Samuel (Norwich)
Hudson, George Bickersteth
Hutchinson, Capt. G. W. Grice-
Jeffreys, Arthur Frederick
Kenyon-Slaney, Col. William
Keswick, William
Knowles, Lees
Lafone, Alfred
Lawrence, Sir E. Durning- (Corn
Lawrence, Wm. F. (Liverpool)
Lawson, John Grant (Yorks.)
Leigh-Bennett, Henry Currie
Loder, Gerald Walter Erskine
Long, Col. Chas. W. (Evesham)
Long, Rt. Hon. W. (Liverpool)
Lopes, Henry Yarde Buller
Lowles, John
Loyd, Archie Kirkman
Macartney, W. G. Ellison
Macdona, John Cumming
Maclure, Sir John William
M'Arthur, Charles (Liverpool)
M'Iver, Sir Lewis (Edinburgh W
M'Killop, James
Malcolm, Ian
Massey-Mainwaring, Hon. W F
Melville, Beresford Valentine
Milbank, Sir Powlett Chas. John
Milner, Sir Frederick George
Milward, Colonel Victor
Moore, William (Antrim, N.)
More, Robt. Jasper (Shropshire)
Morgan, Hon. Fred (Monm'thsh.
Morrell, George Herbert
Morton, Arthur H. A. (Deptford
Mount, William George
Murray, Rt Hn A Graham (Bute
Murray, Charles J. (Coventry)
Nicol, Donald Ninian
O'Neill, Hon. Robert Torrens
Parkes, Ebenezer
Pease, Herbert Pike (Darlingt'n
Penn, John
Phillpotts, Captain Arthur
Platt-Higgins, Frederick
Pryce-Jones, Lt.-Col. Edward
Purvis, Robert
Remnant, James Farquharson
Rentoul, James Alexander
Richards, Henry Charles
Ridley, Rt. Hon Sir Matthew W.
Ritchie, Rt. Hon. Chas Thomson
Robertson, Herbert (Hackney
Russell, T. W. (Tyrone)
Saunderson, Rt Hon Col Edw. J.
Sidebotham, J. W. (Cheshire)
Sinclair, Louis (Romford)
Skewes-Cox, Thomas
Smith, Abel H. (Christchurch)
Smith, James Parker (Lanarks.
Smith, Hon. W. F. D. (Strand
Stanley, Hn. Arthur (Ormskirk
Stanley, E. J. (Somerset)
Stirling-Maxwell, Sir John M.
Sturt, Hon. Humphry Napier
Thornton, Percy M.
Tomlinson, Wm. Edw. Murray
Tuke, Sir John Batty
Warde, Lieut.-Col. C. E. (Kent)
Williams, Colonel R. (Dorset)
Williams, J. Powell- (Birm.)
Willoughby de Eresby, Lord
Willox, Sir John Archibald
Wortley, Rt. Hon. C. B. Stuart-
Wylie, Alexander
Wyndham, George
Wyvill, Marmaduke D'Arcy

TELLERS FOR THE NOES—Sir William Walrond and Mr. Anstruther.

Schedule agreed to.

Question proposed, "That the Chairman do report the Bill without Amendment to the House."

MR. DILLON said he thought the conduct of the Government on this occasion was entirely without precedent, and it was exceedingly unfair to those taking part in the debate. He maintained that it was not in accordance with the usual practice of Ministers in charge of Bills to resort to dodges of this kind. The Minister in charge of the Bill, in pursuance of a promise, placed on the Notice Paper of the House a new clause. He thought the right hon. Gentleman was bound to move that new clause unless there was some fair reason for not doing so. When the time came for moving the new clause, the right hon. Gentleman in charge of the Bill did not rise in his place at all, but the Leader of the House intervened and took the matter out of his hands. The Leader of the House proceeded to make a statement in regard to certain understandings, the accuracy of which was open to question; but whether accurate or inaccurate, it did not afford justification for the extreme and unprecedented course the Government had taken in this case, in withdrawing the new clause which was placed on the Paper in pursuance of a promise. The clause was withdrawn for the purpose of avoiding the Report stage, and the Government had resolved to adopt the extreme course of re-committing the Bill for the purpose of inserting this clause, which they could easily insert now. He never heard of such a thing being done before in the House of Commons. He did not believe anything of the kind ever was done in the House of Commons, and as the only means of protesting against such treatment, he proposed to divide the House on the motion that was now put.

MR. SWIFT MACNEILL said it would be in order now to make a general review of the Bill, but as he was strong, he would be merciful. He would not do so, looking to the early hour of the morning. He thought the Government might have yielded to the Irish Members some of the small Amendments they had proposed. He did not recollect a Bill of this magnitude being pushed forward against the opposition of the Irish Members without even one comma being altered to suit their Amendments. He protested against the whole method in which the Bill had been introduced and pushed through the House. Every clause was a Chinese puzzle, and some of the clauses two or three Chinese puzzles combined. He protested against this Bill, because it was simply for the purpose of taking money out of the pockets of the poor and putting it into the pockets of the rich.

*THE CHAIRMAN: The hon. Gentleman is now discussing the merits.

MR. SWIFT MACNEILL said he would be equally out of order in discussing the demerits. He did not know that he could do more than protest against the Bill. He was not allowed to discuss its merits or demerits, and under the circumstances discussion became a difficult matter.

MR. FLYNN said it was most uncandid on the part of the Government, after the pledge which was given, that the new clause should now be withdrawn and relegated to a stage subsequent to the Third Reading. He was under the impression that the First Lord of the Treasury gave the Irish Members to understand that this clause would have been brought in at a reasonable time on the Committee stage of the Bill, so that they might have an opportunity of discussing it.

MR. T. P. O'CONNOR said the Leader of the House had that night established a precedent as to the conduct of business in the House. He thought he was correct in saying that the right hon. Gentleman had done something which had never been done before in the many centuries of the existence of that assembly. It was very true that Bills had been recommitted on the Third Reading, but in all such cases, at least in all the cases he was familiar with, the recommitment of the Bill on the Third Reading had been regarded as a somewhat violent and unusual

proceeding, only to be justified by the fact that there had been an oversight, quite inevitable, and that the insertion was necessary to the proper force and authority of the Bill. The Leader of the House had that night announced that a certain Amendment which stood on the Paper in the name of the Minister in charge of the Bill would not be moved, and that instead of adopting the ordinary and regular course of introducing the Amendment on the Report stage, he would ask that the Bill be recommitted on the Third Reading. In other words, the right hon. Gentleman had violated all Parliamentary precedent and the traditions of centuries for the purpose of saving a stage of this Bill. He was quite conscious of the difficulties of the right hon. Gentleman in the responsible position he held as Leader of the House, especially at this time of the year, and the duress he must feel in regard to time. He was rather astonished at the right hon. Gentleman giving so much time to this Bill. He did not know whether it was on account of affection for the Irish landlords or a feeling of affection for the particular Minister who happened to be in charge of the Bill. The right hon. Gentleman had given at this time of year an unparalleled amount of time to a Bill of this kind, and that was the reason why he grudged an additional moment's time. He sympathised with that feeling, but he thought the right hon. Gentleman might have regarded something higher than even the claims of fraternal affection and the saving of the time of that House, and that was the preservation of the unbroken traditions which were necessary to the good conduct of the business of the House. He warned the right hon. Gentleman that the precedent was rather a dangerous one for a Conservative Minister to make and offer to gentlemen of other political opinions, who might find in his action a very useful precedent for accelerating the course of legislation.

Question put.

The Committee divided :—Ayes, 132 ; Noes, 49. (Division List No. 199.)

AYES.

Acland-Hood, Capt. Sir A. F.
Arrol, Sir William
Ashmead-Bartlett, Sir Ellis
Atkinson, Rt. Hon. John
Balfour, Rt. Hon. A. J. (Manc'r
Balfour, Rt. Hn. G. W. (Leeds)
Barry, Rt. Hn. A. H. S.-(Hunts)
Beach, Rt. Hn. Sir M. H. (Bristol
Beach, Rt. Hn. W. W. B. (Hants)
Beckett, Ernest William
Bemrose, Sir Henry Howe
Blakiston-Houston, John
Blundell, Colonel Henry
Bond, Edward
Brassey, Albert
Brodrick, Rt. Hon. St. John
Bullard, Sir Harry
Carlile, William Walter
Carson, Rt. Hon. Sir Edw. H.
Cavendish, R. F. (N. Lancs.)
Cavendish, V. C. W. (Derbysh.)
Cecil, Evelyn (Hertford, East)
Cecil, Lord Hugh (Greenwich)
Chamberlain, Rt. Hn. J. (Birm.)
Chamberlain, J. Austen (Worc'r
Chaplin, Rt. Hon. Henry
Charrington, Spencer
Chelsea, Viscount
Cohen, Benjamin Louis
Collings, Rt. Hon. Jesse
Corbett, A. Cameron (Glasgow)
Curzon, Viscount
Dalkeith, Earl of
Dalrymple, Sir Charles
Denny, Colonel
Disraeli, Coningsby Ralph
Douglas, Rt. Hon A. Akers-
Doxford, Sir William Theodore
Dyke, Rt Hn. Sir William H.
Fellowes, Hon. Ailwyn Edward
Finch, George H.
Finlay, Sir Robert Bannatyne
Firbank, Joseph Thomas
Fisher, William Hayes
FitzGerald, Sir Robert Penrose-
Flower, Ernest
Foster, Colonel (Lancaster)
Foster, Harry S. (Suffolk)
Galloway, William Johnson
Garfit, William
Gedge, Sydney
Gibbs, Hn. A. G. H. (City of Lon)
Godson, Sir Augustus Fredk.
Goldsworthy, Major-General
Gordon, Hon. John Edward
Goschen, George J. (Sussex)
Goulding, Edward Alfred
Green, Walford D (Wednesbury
Greville, Hon. Ronald
Gull, Sir Cameron
Hamilton, Rt. Hn. Lord George
Hanbury, Rt. Hn. Robert Wm.
Hanson, Sir Reginald
Hoare, Sir Samuel (Norwich)
Hudson, George Bickersteth
Hutchinson, Capt. G. W. Grice-
Jeffreys, Arthur Frederick
Kenyon-Slaney, Col. William
Keswick, William
Knowles, Lees
Lawrence, Sir E Durning-(Corn
Lawrence, Wm. F. (Liverpool)
Lawson, John Grant (Yorks.)
Leigh-Bennett, Henry Currie
Loder, Gerald Walter Erskine
Long, Col. Charles W. (Evesham
Long, Rt Hn Walter (Liverpool)
Lowles, John
Loyd, Archie Kirkman
Macartney, W. G. Ellison
Macdona, John Cumming
Maclure, Sir John William
M'Arthur, Charles (Liverpool)
M'Iver, Sir Lewis (Edinb'gh, W
M'Killop, James
Malcolm, Ian
Massey-Mainwaring, Hn. W. F
Milner, Sir Frederick George
Milward, Colonel Victor
Moore, William (Antrim, N.)
More, Robt. J. (Shropshire)
Morgan, Hon. F. (Monm'thsh.
Morrell, George Herbert
Mount, William George
Murray, Rt. Hon. A. G. (Bute
Murray, Charles J. (Coventry)
Nicol, Donald Ninian
O'Neill, Hon. Robert Torrens
Parkes, Ebenezer
Pease, Herbert P. (Darlington
Penn, John
Phillpotts, Captain Arthur
Pryce-Jones, Lt.-Col. Edward
Purvis, Robert
Remnant, James Farquharson

Rentoul, James Alexander
Ridley, Rt. Hon. Sir M. W.
Ritchie, Rt. Hon. Chas. T.
Robertson, Herbert (Hackney
Russell, T. W. (Tyrone)
Saunderson, Rt. Hn. Col. E. J.
Sidebotham, J. W. (Cheshire)
Sinclair, Louis (Romford)
Skewes-Cox, Thomas
Smith, Abel H. (Christchurch)
Smith, James Parker (Lanarks
Smith, Hon. W. F. D. (Strand
Stanley, Hon. A. (Ormskirk)
Stanley, Edw. Jas. (Somerset)
Stirling-Maxwell, Sir John M.
Sturt, Hon. Humphry Napier
Tomlinson, Wm. Edw. Murray
Tuke, Sir John Batty
Warde, Lt.-Col. C. E. (Kent)
Williams, Colonel R. (Dorset)
Williams, J. Powell- (Birm.)
Wills, Sir William Henry
Wortley, Rt. Hon. C. B. Stuart-
Wylie, Alexander
Wyndham, George
Wyvill, Marmaduke D'Arcy

TELLERS FOR THE AYES—
Sir William Walrond and
Mr. Anstruther.

NOES.

Austin, M. (Limerick, W.)
Billson, Alfred
Caldwell, James
Cawley, Frederick
Channing, Francis Allston
Crilly, Daniel
Dalziel, James Henry
Davies, M. Vaughan-(Cardigan
Dilke, Rt. Hon. Sir Charles
Dillon, John
Doogan, P. C.
Engledew, Charles John
Flavin, Michael Joseph
Flynn, James Christopher
Goddard, Daniel Ford
Griffith, Ellis J.
Hayne, Rt. Hon. Charles Seale-
Horniman, Frederick John
Jones, Wm. (Carnarvonshire)
Lawson, Sir Wilfrid (Cumberl'd
Macaleese, Daniel
MacNeill, John Gordon Swift
M'Ghee, Richard
M'Hugh, Patrick A. (Leitrim)
M'Leod, John
Mandeville, J. Francis
O'Connor, James (Wicklow, W.
O'Connor, T. P. (Liverpool)
O'Dowd, John
O'Kelly, James
Oldroyd, Mark
O'Malley, William
Pease, Joseph A. (Northumb.)
Power, Patrick Joseph
Provand, Andrew Dryburgh
Reckitt, Harold James
Samuel, J. (Stockton-on-Tees)
Scott, Chas. Prestwich (Leigh)
Shaw, Charles Edw. (Stafford)
Steadman, William Charles
Sullivan, Donal (Westmeath)
Sullivan, T. D. (Donegal, W.)
Tanner, Charles Kearns
Tennant, Harold John
Thomas, Abel (Carmarthen, E.
Weir, James Galloway
Whiteley, George (Stockport)
Wilson, Frederick W. (Norfolk)
Yoxall, James Henry

TELLERS FOR THE NOES—
Captain Donelan and Mr.
Patrick O Brien.

Bill to be read the third time upon Thursday.

MINES (PROHIBITION OF CHILD LABOUR UNDERGROUND) BILL,
CHANGED FROM
"COAL MINES (PROHIBITION OF CHILD LABOUR UNDERGROUND) BILL."

Lords Amendments considered, and agreed to.

TRAMWAYS (IRELAND) ACTS AMENDMENT BILL.

Read a second time, and committed for Thursday.

Adjourned at twenty minutes after Two of the clock.

HOUSE OF LORDS.

Tuesday, 10th July, 1900.

ROYAL ASSENT.

COMMISSION.

The following Bills received the Royal Assent :—

1. County Surveyors (Ireland).
2. Naval Reserve (Mobilisation)
3. County Councils (Elections) Act (1891) Amendment.
4. Colonial Solicitors.
5. Burial Grounds.
6. District Councillors and Guardians (Term of Office).
7. Metropolitan Common Scheme (Petersham) Provisional Order.
8. Local Government (Ireland) Provisional Order (No. 1).
9. Local Government (Ireland) Provisional Order (No. 2).
10. Local Government Provisional Orders (No. 2).
11. Local Government Provisional Orders (No. 3).
12. Local Government Provisional Orders (No. 4).
13. Local Government Provisional Orders (Gas).
14. Leith Burgh Provisional Order.
15. Gas and Water Orders Confirmation.
16. Education Board Provisional Orders Confirmation (Brighton and Preston United Districts, &c.).
17. Pier and Harbour Provisional Orders (No. 1).
18. Great Berkhampstead Water.
19. Motherwell Water.
20. Morecambe Urban District Council (Gas).
21. Birmingham (King Edward the Sixth) Schools.
22. Ossett Corporation Gas.
23. Southport Extension and Tramways.
24. Stockport Corporation Tramways.
25. Mersey Docks and Harbour Board.
26. Paignton Urban District Water.
27. Brewery and Commercial Investment Trust, Limited.
28. Bristol Water.
29. Commercial Union Assurance Company.
30. Milford Docks.
31. Birmingham Corporation (Stock).
32. Scottish American Investment Company, Limited.
33. Bedford Gas.
34. Neath Harbour.
35. Taff Vale Railway.
36. Hoylake and West Kirby Improvement.
37. Wakefield Corporation Market.
38. British Gas Light Company (Staffordshire Potteries).
39. Glasgow and South-Western Railway.
40. South Eastern Railway.
41. Hamilton Burgh.
42. North Warwickshire Water.
43. Widnes and Runcorn Bridge.
44. Lincoln Corporation (Tramways).
45. City of London Electric Lighting.
46. Lancashire and Yorkshire Railway.
47. Woodbridge District Water.
48. Wirral Railway.
49. Sheffield District Railway.
50. East Stirlingshire Water.

PRIVATE BILL BUSINESS.

The LORD CHANCELLOR acquainted the House that the Clerk of the Parliaments had laid upon the Table the Certificate from the Examiners that the further Standing Orders applicable to the following Bill have been complied with :—

Taunton Corporation.

The same was ordered to lie on the Table.

STANDING ORDERS COMMITTEE.

Report from, That the Standing Orders not complied with in respect of the

Plymouth, Stonehouse, and Devonport Tramways Bill

ought to be dispensed with, and the Bill allowed to proceed, provided that proof be given before the Examiners that the transfer provided for by Clause 35 of the scheduled agreement has been approved of by a meeting of the company held in accordance with Standing Order 64.

That the Standing Orders not complied with in respect of the

Tottenham Urban District Council Bill ought to be dispensed with, and Bill allowed to proceed.

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

That the Standing Orders not complied with in respect of the

Bray and Enniskerry Railway Bill

ought not to be dispensed with, but that the Bill may be allowed to proceed subject to Railway No. 1 being struck out of the Bill.

That the Standing Orders not complied with in respect of the

London County Tramways (No. 1) Bill

ought to be dispensed with, and the Bill allowed to proceed, provided that the powers to construct Tramways No. 7, No. 13, and No. 6 (Vauxhall and Camberwell Tramway), and one chain double line of Tramway No. 8 (Blackfriars and Kennington Tramway), be struck out of the Bill.

Read, and agreed to.

MID-KENT WATER BILL.

Report from the Select Committee, That the Committee had not proceeded with the consideration of the Bill, the opposition thereto having been withdrawn; read, and ordered to lie on the Table. The Orders made on the 26th of June and Friday last discharged; and Bill committed.

PORTLAND URBAN DISTRICT GAS BILL.

Report from the Select Committee, That the Committee had not proceeded with the consideration of the Bill, no parties having appeared in opposition thereto; read, and ordered to lie on the Table. The Orders made on the 26th of June and Friday last discharged; and Bill committed.

FRASER SETTLED CHATTELS BILL [H.L.].

Reported with Amendments.

BOURNEMOUTH CORPORATION BILL [H.L.].

Reported with Amendments.

BELFAST AND COUNTY DOWN RAILWAY BILL.

Reported with an Amendment.

HUDDERSFIELD CORPORATION TRAMWAYS BILL.

Report from the Select Committee, That the Committee had not proceeded with the consideration of the Bill, no parties having appeared in opposition thereto; read, and ordered to lie on the Table. The Orders made on the 26th of June and Thursday last discharged; and Bill committed.

HALIFAX CORPORATION BILL.

BLACKPOOL, ST. ANNE'S, AND LYTHAM TRAMWAYS BILL.

METROPOLITAN DISTRICT RAILWAY BILL.

Report from the Committee of Selection, That the Viscount Frankfort de Montmorency be proposed to the House as a Member of the Select Committee on the said Bills in the place of the Lord Monckton (*V. Galway*); read, and agreed to.

BRAY URBAN DISTRICT COUNCIL BILL.

Moved that the Order made on the 12th day of March last, "That no Private Bill brought from the House of Commons shall be read a second time after Tuesday the 26th day of June next," be dispensed with, and that the Bill be now read 2^a; agreed to. Bill read 2^a accordingly, and committed for Thursday next.

ROE'S PATENT BILL [H.L.].

Read 3^a, and passed, and sent to the Commons.

NORTH METROPOLITAN RAILWAY AND CANAL BILL.

LEE CONSERVANCY BILL.

Read 3^a, with the Amendments, and passed, and returned to the Commons.

ALEXANDRA PARK BILL.

COVENTRY CORPORATION BILL.

HASTINGS CORPORATION BILL.

SHANNON WATER AND ELECTRIC POWER BILL.

Brought from the Commons; read 1^a; and referred to the Examiners.

HARTLEPOOL GAS AND WATER BILL.

Returned from the Commons with the Amendments agreed to.

LATIMER ROAD AND ACTON RAILWAY BILL.

Returned from the Commons with the Amendment agreed to.

MOUNTAIN ASH WATER BILL [H.L.].

Returned from the Commons with the Amendments made by the Lords to the Amendments made by the Commons agreed to.

CORK ELECTRIC TRAMWAYS BILL [H.L.].

Returned from the Commons agreed to, with Amendments.

LONDON UNITED TRAMWAYS BILL.

Message to the Commons for leave for Thomas Skewes-Cox, Esquire (a member) to attend the Select Committee.

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 12) BILL. (No. 177.)

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 14) BILL. (No. 178.)

Brought from the Commons; read 1ª; to be printed; and referred to the Examiners.

ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 9) BILL.

Committed to a Committee of the whole House.

ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 10) BILL.

Committed. The Committee to be proposed by the Committee of Selection.

ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 12) BILL.

PIER AND HARBOUR PROVISIONAL ORDERS (No. 2) BILL.

Committed to a Committee of the whole House.

TRAMWAYS ORDERS CONFIRMATION (No. 3) BILL [H.L.].

House in Committee (according to Order). The Amendments proposed by the Select Committee made; further Amendments made; Standing Committee negatived. The Report of Amendments to be received on Thursday next.

TRAMWAYS ORDERS CONFIRMATION (No. 4) BILL [H.L.].

Read 3ª (according to Order), and passed, and sent to the Commons.

GAS PROVISIONAL ORDER (No. 3) BILL.

Read 3ª (according to Order), with the Amendment, and passed, and returned to the Commons.

LONDON COUNTY COUNCIL (SPITALFIELDS MARKET) BILL.

*LORD MONKSWELL: My Lords, I have been deputed on the unanimous desire of the Parliamentary Committee of the London County Council to move the motion standing in my name, for the recommittal of this Bill. It is a very unpleasant task to have in any way to impugn the action of one of your Lordships' Committees, and I hope I shall perform my task in a way that will not give any offence to anyone. I hope it is not necessary for me to tell the noble Earl the Chairman of the Committee, and his colleagues, that I do not for a moment impute anything in the nature of partiality to the Committee in the course they have adopted. This is no mere form of words. I am absolutely certain in my own mind that they came to the consideration of this Bill with every desire to do complete and substantial justice between everybody concerned. I would say in the first place that the action the Committee took was most unusual, and I think I might call it almost unprecedented. What the Committee did was this: They decided against the Bill after having heard the promoters, and the evidence of the promoters, solely on the opening speech of the counsel in opposition to the Bill. That is a very unusual course to adopt. The circumstances of this case make it extremely inexplicable to me and very mysterious why the Committee should have adopted that course. Now, my Lords, I quite understand that sometimes the Committee may adopt that course—that a *prima facie* case that appears to be a good case may be made out, and that the opposing counsel may make criticisms on the case and on the evidence of such a nature as to convince the Committee that what they thought was a good case was in point of fact a bad case. As regards this particular case, I think there is very little doubt that the promoters did make what the Committee considered a good *prima facie* case. At all events, it was a case good enough to satisfy the House of Commons Select Committee, with Sir William Houldsworth at its head, and clearly the noble Lords who composed this Committee considered that a *prima facie* case had been made out, because they asked the opposing counsel to make his speech. Now, my Lords, if the counsel opposed to the Bill had merely

contented himself with commenting upon the speeches and the evidence produced in support of the Bill, I could have understood the course that the Committee took; but the counsel against the Bill was not content with that very dull and prosaic method of proceeding. He took very high flights of imagination; he produced before your Lordships' Committee as facts that were uncontroverted and incontrovertible, facts that were very much in dispute; he raised to the position of axioms certain statements which he took for granted all through his speech—statements which had been completely riddled and disposed of in the House of Commons by the cross-examination of his own witness. That is my case, and I do suggest that there were two courses open to the Committee which they might have taken, and to which I could have taken no exception. One course was to disregard these statements of so-called facts utterly unsupported by evidence, because he called no evidence. The second course was, if the Committee were impressed with those statements of fact, to ask him to produce his witnesses in order that he might substantiate those statements. But the Committee did neither. Apparently these statements made a considerable impression on them, as they decided in his favour when he sat down, without hearing any evidence. My point is that the case was judged on an insufficient investigation of the whole matter, and that if the investigation had been carried, as I think it ought to have been carried, a little further, very likely the result might have been different. The Committee did not for a moment suggest that any further evidence was required. Now, my Lords, the very short facts in connection with this case, so far as it is necessary to refer to them—and I refer to them, not in order that your Lordships' House may retry the case, but in order to support my contention that the Committee came to their conclusion after insufficient investigation — were these: This Bill was a Bill to enable the London County Council to buy Spitalfields Market—market rights and all. The market in question had been in private hands for more than 200 years. It was a market entirely outside the City boundaries, and in a corner of what will hereafter constitute the new Borough of Stepney. The object that the London County Council had in wishing to buy, was that this market had outgrown its bounds, and had become a very serious nuisance to the neighbourhood. Your Lordships' House decided that this was a market as it is legally called, without metes and bounds, and being a market without metes and bounds, it had a right to spread itself for the purposes of the market over the public thoroughfares, and to create a nuisance which nobody could stop. The Home Secretary was applied to, the magistrates were applied to, and they said that there was no redress. Now, this market is practically under the control of one man, a lessee, who has more than sixty years of his lease to run, and he can do as he pleases. All the local bodies, without any objection—perhaps I ought to except the City, which does not appear to have taken any interest in the matter at all—but all the local bodies who interested themselves in this question of the market objected to the market remaining in private hands; there is no doubt about that; and most of the neighbouring local bodies wanted the London County Council to buy. On that point I would like to say this: that the localities principally affected by the market are Shoreditch and Bethnal Green, and not any part of the new Borough of Stepney, in a corner of which the market happens to be. Shoreditch and Bethnal Green have kept pressing the London County Council to do something to abate this nuisance, and preferably to buy the market. With regard to the new borough of Stepney there are five constitutional local bodies which will constitute that new borough. Of those five constituent local bodies three back up Shoreditch and Bethnal Green in wishing the London County Council to buy. The other two local bodies that will compose the new borough of Stepney, wish, not that the market shall remain in private hands, but they think that, on the whole, it will be desirable that the new borough of Stepney should have control of the market rather than the London County Council. But we have a vast majority of feeling on the part of the bodies most interested in favour of the London County Council buying. After long negotiation the London County Council arranged to buy out the freeholders for the sum of £177,000, and they arranged with the leaseholder to buy him out under the Lands Clauses Act. Under these

circumstances the London County Council brought in their Bill to carry these agreements into effect. The City brought in a counter proposition, that was heard before the House of Commons, offering to buy the market themselves on the terms on which it was offered to the London County Council, not because they wished to run the market themselves, not because they considered there was a nuisance to be abated, but in order to prevent the London County Council having control of it, and for the further object, as they stated, of transferring this market to Stepney on terms that had not been settled if Stepney should wish to have it. Well, it is extremely unlikely that Stepney will wish to have it, inasmuch as three out of the five local authorities that will comprise the new borough of Stepney have given evidence in favour of the London County Council having the market; and Stepney, moreover, did not oppose in the House of Lords. Consequently it seems to me to be extremely improbable that the new borough of Stepney will wish to take over this market. In the Commons the matter was fully argued as between the London County Council and the City. Sir William Houldsworth was in the chair, and the result, after argument and hearing witnesses on both sides on the question, was that the House of Commons Committee rejected the City Bill and passed the London County Council Bill. Now it would have seemed that this Bill came up to the House of Lords under far more favourable circumstances than it came up to the House of Commons, because in the House of Commons we had a great many local authorities opposing on preamble with a view to getting clauses, whereas in the House of Lords the City alone was the opposer, and the House of Commons, having decided against the City, the alternative before the House of Lords Committee was this —not whether the London County Council or the City should have this market, but whether the market was to remain in private hands, or whether it was to be in the hands of the only public body that had brought in a Bill that had been passed by the House of Commons. Now, my Lords, the peculiar part of this case to which I would draw your Lordships' attention is this: that the evidence relied upon by Mr. Littler, the counsel for the City before the House of Commons, to substantiate his case, utterly and completely broke down, and it so utterly and completely broke down that the cross-examination of his witness was an important factor in our case before the House of Lords Committee. Naturally enough, in opening before the Lords' Committee, the counsel for the London County Council referred to the discomfiture of the only witness that the City produced, namely, their town clerk, Sir John Monckton. Directly Mr. Worsley Taylor, for the London County Council, tried to refer to the evidence of Sir John Monckton in the House of Commons, Mr. Littler took strong exception to any reference being made to the evidence of Sir John Monckton. Mr. Littler said—I am quoting from page 8 of the Lords' Report—

"I am bound to say that when we are here in a fresh inquiry in one House, I do protest, unless there is some special reason for it, against going into what took place in the other House. Your Lordship will hear what my friend has to say here——

"Mr. WORSLEY TAYLOR: May I take it that my learned friend is going to call the town clerk?

"Mr. LITTLER: You 'may take' nothing from me; I never bind myself to bargains of this kind. But you may take it as a general principle which has been accepted many times, sometimes against me and sometimes at my instance, that if you want to prove what has taken place before another Committee you ought to call the witness who gave the evidence in question, and not read something that somebody said elsewhere, and only a part of that. If my learned friend is going to refer to Sir John Monckton's evidence, he must read the whole of it; and if that is done—well, how will your Lordships' time be occupied? I do think my friend must steer his case his own way, but I do protest.

"The CHAIRMAN: Shall we have Sir John Monckton?

"Mr. LITTLER: I do not know whether Sir John Monckton is here at the moment.

"Mr. WORSLEY TAYLOR: If my friend tells me he is going to call Sir John Monckton, I will not say one word more about it.

"Mr. LITTLER: I am not going to pledge myself as to whether I will call Sir John Monckton or not; but you may take this as a general principle, and I shall ask my Lords to follow it, that it is not right to read the evidence of a gentleman who can be produced. My learned friend had better rely on what he says before your Lordships."

Then, after a further wrangle, Mr. Worsley Taylor says—

"I say again if I were certain that my learned friend would not take the course of simply relying on his speech, and so prevent our having the chance of cross-examining his witness and relying on him; if I were satisfied of that I would leave it at once."

Then there is a further wrangle, and Mr. Worsley Taylor retires worsted. He says—

"I desire to avoid discussion of this kind; I will not say one word more; I will leave my learned friend to put his reasons before your Lordships; I will substantiate my case by my evidence, and if he does not call Sir John Monckton, then I shall ask your Lordships to remember what has taken place. There I will leave it."

Then on another occasion Mr. Worsley Taylor tried to refer to Sir John Monckton's evidence, and Mr. Littler again tries to prevent any reference to it. Mr. Littler says—

"My strict rights are that if he wants to prove what Sir John Monckton's views are about the case he must call him in the ordinary way; he is alive and well. I will not go beyond the regular course, and I am bound to stand upon that in this case after the way in which I have been treated here. I certainly do object, my Lord, to any reading of any statement that any gentleman has given who is alive and well and can come before your Lordships.

"Mr. WORSLEY TAYLOR: This is the very first time, my Lord, I have ever heard that an admission made by a witness called by the opposite party in the other House might not before this tribunal—as before every other—be referred to.

"Mr. LITTLER: The evidence was given on another Bill.

"Mr. WORSLEY TAYLOR: Oh! my learned friend surely will not take the technical point that it was on another Bill.

"Mr. LITTLER: I do; I am perfectly entitled to do it."

My Lords, I have said that Mr. Littler made various statements in the course of his speech that had nothing whatever to do with, or, at all events, were not confined to, criticisms of the evidence and speeches of counsel on the other side, but in which he advanced on his own account certain propositions. I will only deal with one of those propositions in order to illustrate my meaning. Mr. Littler's contention all through his speech was that the City was the market authority, not only for the City of London, but for London within seven miles round St. Paul's. He says on pages 20 and 21, and in other parts of his speech, "The City are the market authority at the present moment," and he "objects to setting up another market authority," and so on. Well, if the learned counsel thought fit to take that line, and to contend that the City was the market authority for seven miles round St. Paul's Church, when the evidence on which he tried to make out that proposition broke down before the House of Commons, it does seem to me that Mr. Worsley Taylor was justified in supposing that your Lordships' Committee, if they thought there was anything in Mr. Littler's contention, would have insisted on his calling witnesses to support that contention, and certainly would not have decided against him unless they had heard a witness in support of that contention. Now, I think it may be taken as being a rule almost without exception—I have heard it so stated by persons who are perfectly conversant with proceedings in Parliamentary Committees—that when an opposing counsel, after a strong *prima facie* case being made for a Bill, refuses to call evidence to contradict the evidence that has been given by the promoters, that action on the part of the learned counsel is almost invariably by Private Bill Committees interpreted in one way and one way only; that is to say, it is considered as equivalent, in sporting language, "to throwing up the sponge." The learned counsel for the London County Council thought that if the Committee should be against him simply on the speech of Mr. Littler, the Committee would naturally ask that Mr. Littler should produce his evidence, and on this, and I think fairly natural assumption, he thought he might safely avoid further unpleasant wrangles with Mr. Littler. I do not think I need labour the point as to how extremely damaging to the City the evidence of Sir John Monckton was in the House of Commons, and probably would have been in this House had he been called. The pertinacity with which the City counsel fought every attempt to refer to his evidence shows how damaging he thought it would be to him. In fact when he was cornered he had to assert that he stood on his strict legal rights, and would take every objection that he possibly could in order to prevent that evidence being brought before the Committee. I say then that Sir John Monckton's evidence was essential to the formation of a right judgment, and that the Committee should not have been satisfied with the very strange reason given by Mr. Littler for not calling Sir John Monckton. The reason given by Mr. Littler is this, in his own words, quite at the end of his speech. He says—

"Now, my Lord, I do not see that any good object would be gained by calling before you any witness in this matter"—

Mr. Littler, of course, knew that if he called no witnesses he would have the last word—

"If I thought it would I would call Sir John Monckton. It does so happen that this week is the week of the meeting of the Common Council, when he is exceedingly occupied—exceedingly engaged; but if he could assist you at all I should be very pleased to call him before you. This is a matter of history and of evidence given before you of our legal position under the Act of Parliament, and no dozen witnesses could assist you in relation to it, and therefore I do not think, having regard to the length of time that this case has taken, I should be justified in taking up your Lordship's time by calling evidence which would really only, after all, be repeating in the witness-box argument and not giving evidence as to fact."

Well, it was an ingenious way of getting out of calling his witnesses, but I must say that I do not think that that is an excuse that the Committee ought to have considered satisfactory. Now, my Lords, it appears to me that it would set a very bad precedent if this was the final stage of this Bill. It would set a bad precedent of a Committee relying solely on the unsupported statements of counsel who call no evidence. I think sometimes counsel are disposed even now under present circumstances to make somewhat haphazard and unfounded statements on behalf of their clients which they would find some difficulty in establishing, and if the promotors of a Bill are to have their Bill rejected simply on the statements of fact that are made by opposing counsel, it does appear to me that a great strain will be put on the consciences of a good many counsel to place facts in a way that is not perfectly just to the Committee. I think that in this particular case there is a special reason why your Lordships should look farther into this matter. In this particular case there was not only this, that the learned counsel refused to call any evidence, but there is on the notes in the other House strong reason to believe that the reason why he did not call evidence was that he knew that it would be extremely detrimental to his case. If Bills are to be rejected on the statements of counsel who there is good reason to believe do not call witnesses because they are certain to break down under cross-examination, then it appears to me that justice is not likely to be done. Now, my Lords, this is a serious matter to the London County Council, because the agreement to buy this market lapses if it is not carried into effect this year. Last year they made a somewhat similar agreement, and your Lordships threw out that Bill, and that delay has cost the London County Council £7,000. There was a substantial reason, I think, for your Lordships throwing out the Bill last year, inasmuch as it was not a complete Bill. It only gave the London County Council power to acquire land and did not give them the market rights, and what the House of Lords Committee said was this; that they considered the London County Council ought to make a complete case; that they ought to buy up the market rights as well as buy up the land. The delay of a year has cost us £7,000. It is impossible to forecast what another delay may not cost. The nuisance is great. No local authority but the City is in favour of this market remaining in private hands, and while it does remain in private hands there can be no abatement of this serious nuisance.

Moved, "That the Bill be recommitted." —(*The Lord Monkswell.*)

*THE EARL OF ERNE: I can assure the noble Lord that I readily accept his assurance that he does not intend to impute any partiality to the Committee in the decision they came to. At the same time I must point out that he is entirely wrong in supposing that there was any informality whatever in the procedure before the Committee. The case was opened in the usual way by counsel, and the promoters of the Bill called their evidence, which, I may say, did not satisfy the Committee. The counsel for the opponents then made their statement, and did not call evidence, and the counsel for the promoters were thereby precluded from making any reply. The room was cleared, and the Committee decided in the usual way. I do not see how we could have acted other than as we did, unless we had thrown out the Bill after the evidence of the promoters was concluded without hearing counsel at all. I understand from the noble Lord that his object in making this motion is to elicit from me, as Chairman of the Private Bill Committee to which the Spitalfields Market Bill was referred, a statement of the reasons which actuated us in throwing out the Bill. I shall be very happy to give him those reasons, and I shall be able

to do so in very few words, because the point was a very narrow one, although the consequences, if the Bill had been passed, would have been far-reaching. The market powers of the City of London are of very ancient origin. They were conferred by a Charter of Edward III., and there was no attempt in the evidence to prove that those powers had been in any way misused or misapplied. I believe it is matter of notoriety that the markets which are under the direct control of the City are models of all that market management should be; I believe they are unequalled anywhere in the world. This being so, the London County Council come forward and practically attempt to supplant the Corporation as market authority. If we had passed this Bill there is no question that it would have been taken to have been a precedent, and that the wedge, the thin end of which we had permitted to be inserted, would have been very soon driven home in subsequent Parliaments, until the Council had completely superseded the Corporation as the market authority. It was admitted that this was the first market that they had attempted to get hold of. Of course, it was admitted that they had no powers to get it in the Act which constituted them, and could not get them without coming to Parliament for the purpose. The Committee expressed no opinion whatever as to whether this change was desirable. For aught we knew, it might have been a desirable change or it might not, but what we felt, and felt very strongly and unanimously, was that a change of this far-reaching nature ought not to be made by a Private Bill Committee of your Lordships' House upstairs, by five Members chosen at haphazard, with no special knowledge whatever of the subject, but that if it was made it ought to be made after full and free discussion on the floor of the Houses of Parliament. That was the reason why we determined that we would not proceed with the Bill. I think there is another point that I should mention, although I do not say that it would have weighed with us in rejecting the Bill. This was a Bill which proposed not only to acquire the markets, but also to remove the obstruction in the neighbourhood caused by the market. Although that was the professed object of the Bill, there was no power taken in the Bill to acquire adjoining property. We thought that that was a very grave and serious omission, but, as I said before, I do not know that that would have been sufficient to justify us in rejecting the Bill, and we rejected it entirely on the grounds that I have stated to your Lordships.

THE CHAIRMAN OF COMMITTEES (The Earl of MORLEY): My Lords, I should like to say one word, not, of course, on the merits of the question, of which I have no more knowledge than any one of your Lordships. I quite understand my noble friend opposite, to whom, as a member of the London County Council, this subject is one of great interest, calling upon your Lordships to take this step, but to recommit a private Bill that has been carefully considered by a Private Bill Committee is a very rare and most unusual step to take. I remember no case in which it has been taken, except where it was alleged that the Committee had refused to hear evidence either for or against the Bill. Where a Committee have refused to do that, the Bill has been recommitted on the ground that evidence had not been produced to satisfy them. In this case nothing of the kind is stated. It is quite true that the counsel for the opposition took the somewhat astute course of not calling evidence, but surely the counsel has to manage his own opposition as best he can, and I think your Lordships must give the Committee, which was an experienced Committee, and their chairman, who is a very experienced chairman, credit for being able to take the statements of counsel at what they are worth. If they had had any doubt about those statements, I take it that they would have given them no more credit than they thought they were worth. Of course that is quite a different thing to a counsel who calls evidence and confirms that evidence by having his witnesses cross-examined. My Lords, under these conditions it does not appear to me that there has been any irregularity in the proceedings of the Committee, or that the Committee refused to listen to any evidence which was tendered to them. As to the wisdom or unwisdom of their decision, of course I say nothing; I know nothing of the facts of the case; but under these conditions, as the matter seems to have been discussed before them in the only way it could be discussed, I

venture to think it is hardly a case for taking so strong a measure as recommitting the Bill.

*LORD MONKSWELL: Of course I shall not attempt to divide the House after the opinion expressed by the noble Earl the Chairman of Committees on the matter, but with regard to this question of market authority there is a good deal to be said. The noble Earl, who was chairman of the Private Bill Committee, has put it simply from his own point of view. My statement would be this, that if the noble Earl had had the advantage of hearing Sir John Monckton, it would have been elicited that this claim of the City to be the market authority is an absolutely antiquated claim, and is certainly, as the noble Lord knows, quite contrary to the "Report of the Commissioners appointed to inquire into the existing state of the Corporation of the City of London, and to collect information respecting its constitution, order, and government, etc." That Commission was appointed in 1854. The Commissioners refer to this very Charter of which the noble Earl spoke, and they say—

"The brevity of the ancient Charters, the antiquity of the language in which they are couched and the vagueness resulting from the use of concise and general expressions make it often a hard matter accurately to define their meaning. They refer often to a state of things which has wholly passed away, and their language has, therefore, to be explained often through the doubtful medium of antiquarian research. It is also often uncertain what Charters and what portions of Charters are actually in force; how far a subsequent Charter repeals or interferes with the provisions of a former Charter; a question depending upon the intentions of those who gave and received the Charter many centuries ago, and obviously full of doubt and obscurity."

. . . .

"The Charters of Edward III. and Charles I. granted to the Corporation contain a declaration that no market shall be granted by the Crown to be holden within seven miles all round about the City. Whatever may be the right which these grants may be held to convey for the prevention of new markets."

That is not the case. This market was a market in private hands for 200 years. Prevention of new markets is a totally different thing.

"Whatever may be the right which these grants may be held to convey for the prevention of new markets within seven miles of the City, it seems to us unsuited to the state of things which has grown up since the reign of Charles I., and we think that any such restrictive privilege which the Corporation may now possess with respect to markets without the limits of the City should be repealed."

My Lords, I wish to withdraw my motion.

Motion (by leave of the House) withdrawn.

ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 9) BILL.

ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 10) BILL.

ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 12) BILL.

PIER AND HARBOUR PROVISIONAL ORDERS (No. 2) BILL.

THE SECRETARY FOR SCOTLAND (Lord BALFOUR of BURLEIGH): My Lords, I ask the House to suspend the Standing Orders in regard to these Bills, and allow them to be read a second time, under these circumstances. The Bills confirming these Orders were all introduced into the House of Commons within a reasonable time, and at such a time that they might naturally have been expected to pass both Houses. Owing to the unexpected length of the Whitsuntide recess, the time for petitioning against these Orders in the House of Commons was extended to June 14th, the first day on which the House sat after the recess. One or two of these Orders were petitioned against, and the Committee to consider those petitions did not meet till the 26th June. Under all these circumstances, and as there has been no delay on the part of the promoters for which they can be in any way held responsible, I hope the House will allow the Sessional Order to be suspended in the case of these four Bills, and I believe that I have the concurrence of the noble Earl the Chairman of Committees in that course being taken.

THE EARL OF MORLEY: Yes; under the circumstances mentioned by the noble Lord, I have no objection.

Moved, That the Order of the 12th March last, "That no Provisional Order Confirmation Bill brought from the House of Commons shall be read a second time after Tuesday, the 26th day of June next," be dispensed with, and that the Bills be now read 2^a; agreed to; and Bills read 2^a accordingly.

RETURNS, REPORTS, ETC.

WAR RELIEF FUNDS COMMITTEE.

Minutes of evidence given before the War Relief Funds Committee; with appendices to the Report of the Committee, and an index; Presented (by command), and ordered to lie on the Table.

FOREIGN JURISDICTION ACT, 1890, AND MERCHANT SHIPPING ACT, 1894.

Order in Council of 29th June, 1900, entitled "The Cyprus Maritime Order in Council, 1900."

MERCHANT SHIPPING ACT, 1894.

Order in Council of 29th June, 1900, authorising certain pilot signals.

PILOTAGE.

Abstract of Returns relating to Pilots and Pilotage in the United Kingdom (in continuation of Parliamentary Paper No. 242, of Session 1899) (as furnished by the various Pilotage Authorities), for the year ended 31st December, 1899.

CIVIL LIST PENSIONS.

List of all Pensions during the year ended 20th June, 1900, and charged upon the Civil List.

Laid before the House (pursuant to Act), and ordered to lie on the Table.

POOR LAW ADMINISTRATION (IRELAND).

Return respecting. Laid before the House (pursuant to Order of the 8th of May last), and to be printed. (No. 176.)

MINES (PROHIBITION OF CHILD LABOUR UNDERGROUND) BILL.

Returned from the Commons with the Amendments agreed to.

COLONIAL STOCK BILL [H.L.].

Reported from the Standing Committee without amendment, and to be read 3ª on Thursday next.

RAILWAYS (PREVENTION OF ACCIDENTS) BILL.

Reported from the Standing Committee with Amendments. The Report thereof to be received on Thursday next; and Bill to be printed as amended. (No. 175.)

ECCLESIASTICAL ASSESSMENTS (SCOTLAND) BILL.

IMITATION OF COUNTY COURT PROCESS BILL [H.L.].

Reported from the Standing Committee without amendment, and to be read 3ª on Thursday next.

WORKMEN'S COMPENSATION ACT (1897) EXTENSION BILL.

Reported from the Standing Committee without further amendment. The Report of the Amendment made in Committee of the whole House to be received on Friday next.

CHARITABLE LOANS (IRELAND) BILL.

[SECOND READING.]

Order of the Day for the Second Reading read.

THE LORD CHANCELLOR OF IRELAND (Lord ASHBOURNE): My Lords, I have to ask your Lordships to accord a Second Reading to this Bill, which comes to your Lordships from the House of Commons. It is a short Bill, which is introduced to meet a difficulty which arose in reference to the Charitable Loans Act, 1843. Certain legal objections were taken to promissory notes that were current at the time owing to certain matters—non-residence, or the fact of renewals and other matters—and it was deemed right to set the matter on a clear basis by an Act of Parliament. This Bill accordingly was introduced, and it has passed all its stages in the other House. It validates bills and promissory notes subject to equitable conditions, and provides for accounts being taken where necessary on equitable terms. It gives ample power to the judge to do all that is right in a matter of ordering payment by instalments and so forth. I trust that, under all the circumstances, your Lordships will think fit to accord the Bill a Second Reading.

Bill read 2ª (according to Order), and committed to a Committee of the whole House on Thursday next.

TOWN COUNCILS (SCOTLAND) BILL.

[SECOND READING.]

Order of the Day for the Second Reading read.

LORD BALFOUR OF BURLEIGH: I rise to ask your Lordships to give a Second Reading to this Bill. The Memo-

randum which is prefixed to the Bill fairly, and I think with sufficient completeness, describes the scope and intention of the Bill. With one exception, which I must mention to your Lordships, it is perfectly accurate, and that exception is on page 2 of the Memorandum, in the fourth object. It states that the Bill is intended to assimilate the municipal and police boundaries of all burghs. That statement was accurate in regard to the form in which the Bill was introduced into the other House, but it has been found that the assimilation of boundaries would be too complicated a matter, and touch too often private interests, to be dealt with in a Bill of this kind, and therefore those provisions have been dropped. By an oversight, the statement that the Bill effects this purpose has not been deleted from the Memorandum as reprinted for your Lordships' House. In all other respects the Memorandum is, I think, accurate. My Lords, this Bill is largely a consolidation Bill. I will not say that there are not some amendments of the law, because there are some here and there throughout the Bill; but those Amendments are all in conformity with the general policy which has been adopted by Parliament for many years past—namely, to assimilate the conditions under which the government of the two classes of burghs in Scotland is carried on. This Bill is very complicated—it is full of detail; and although it has not been discussed at length in the other House of Parliament it has been very fairly and very fully considered. A very large number of Amendments have been made to meet suggestions made during its passage through the other House. It has also been considered with great care by the officers of my Department, and I have no hesitation in recommending the Bill to your Lordships for Second Reading. There are still some Amendments which will be necessary—some to protect the rights and interests of some of the larger burghs and cities of Scotland, and in one or two cases to adjust the rights of some of the counties—but with these exceptions the Bill, I think, will not cause any serious discussion, and, at any rate, I hope on this occasion your Lordships will give it a Second Reading.

Bill read 2ª (according to Order), and committed to a Committee of the whole House on Friday, the 20th instant.

LUNACY REGULATION (IRELAND) BILL [H.L.]

Read 3ª (according to Order); Amendments made; Bill passed, and sent to the Commons.

BEER RETAILERS' AND SPIRIT GROCERS' LICENCES (IRELAND) (No. 2) BILL.

House in Committee (according to Order); Amendments made; Bill re; committed to the Standing Committee - and to be printed as amended. (No. 179.)

COPYRIGHT BILL [H.L.]

Amendments reported (according to Order), and Bill to be read 3ª on Thursday next.

LAND REGISTRY (NEW BUILDINGS) BILL.

Read 3ª (according to Order), and passed.

RIFLE RANGES—APPLICATIONS FOR GRANTS.

*THE EARL OF DARTMOUTH: My Lords, I rise to ask the Secretary of State for War if he is now in a position to state the conditions to which applicants for a portion of the grant for Volunteer ranges will have to conform. I must apologise for again raising this subject of ranges, but it is somewhat an important one, and as I understand that now there is a further sum of £100,000 to be allocated, I should like if possible to obtain from the noble Marquess certain information as to the conditions which will have to be conformed to before applicants receive a portion of the grant; I want to know how applications are to be made, to whom they are to be made, and the conditions to which applicants will have to conform. Perhaps I may be allowed to refer back to the former sum of £40,000 voted last year, because I think I shall be able to explain the difficulty in which those who desire to obtain a portion of the grant are placed. The noble Marquess has told us that out of that £40,000 a sum of £35,000 has already been allocated. I believe I was the first to raise the question in this House, some twelve months ago, and I extremely regret to say that the only battalion in Staffordshire which has not received a portion of the grant is the battalion in which I am personally interested. The other day I received a letter from the Colonel pointing out the fact that this is the only battalion that has not received a

portion of the grant, and stating that he could not understand why that is so, and also stating that he has received no communication in response to his application. He also points out, and I think he is perfectly right, that his battalion is really one that deserves, perhaps, more than any other battalion, some little assistance, because his range was compulsorily closed; he took time by the forelock, and with considerable difficulty obtained another range, which he has been engaged since that time in making and equipping. He has collected all the money he could in the neighbourhood, and he says he is still £400 short of what he wants. Now, this is not a case of an old range. I believe one of the conditions laid down as regards the distribution of this Vote of £40,000 was that no money would be given to those who were already in possession of ranges, but I would point out that in this particular case the loss of the old range necessitated the provision of a new one, and it could not, therefore, come under the description of an old range, because it was not made or equipped. Therefore, I think that a man who takes the initiative, and as soon as he possibly can obtains a range to supply the deficiency is one who ought to have assistance. Of that £40,000, as I say, £35,000 has already been distributed. I may in passing suggest to the noble Marquess that the remaining £5,000 is amply sufficient to satisfy my immediate requirements. I do not know whether it is too late, but I would venture to make this suggestion. The point I particularly want to emphasise is the fact that this unfortunate colonel has done all he can to supply the deficiency. Whether he applied to the wrong place or whether he did not conform to the rules or not, or what is the reason why he receives no assistance, he does not know, because he has received no communication in response to his application. This seems to me to be a gross act of discourtesy on the part of somebody. I have the honour of being Lord Lieutenant of the county, and I think it is part of my duty to see that the colonels of Volunteers in my county are treated with proper respect. I believe Mr. Balfour has said that the War Office is in one respect the most splendid institution in the world, because whatever goes wrong it is impossible to put your finger on anybody who is responsible; but if the noble Marquis will privately inform me who has been guilty of this gross act of discourtesy and put me into direct communication with him, I should be very much obliged. I do think it is hard on a man who has had nothing to guide him, who does not know to whom he is to apply or where to make the application, that when he makes application he receives no answer. It seems to me a very simple matter that when the communications are sent round the conditions to be conformed to should be put before the applicants, so that those who apply may know what conditions they have to conform to and to whom to make the application. I would just point out that this £40,000 which was voted last year was public money voted by Parliament. It was intended for a specific purpose, and was not, I am sure, intended to give an opportunity to the War Office to have a game of hide and seek with the Volunteer colonels throughout the country. I do trust that when this new allocation is made this information will be given to those who are principally interested.

*THE SECRETARY OF STATE FOR WAR (The Marquess of LANSDOWNE): I think my noble friend has a little misapprehended the procedure which is followed in the distribution of these grants to Volunteer corps. Let me tell him exactly how the facts stand. We had in the first place to allocate the £40,000, which was not voted by Parliament, but which was provided in the Military Works Loans Bill. Of that £40,000, £35,000 or thereabouts has, as he truly observes, been distributed. As to that distribution our instructions to the local military authorities were that they should give the first place to those corps which were as yet unprovided with ranges. The result of that was to exclude for the time every corps which had already provided itself with a range. In that way we got rid of £35,000 out of £40,000. I believe the remaining £5,000 is already earmarked for a similar purpose, and I am afraid I cannot promise to act on the rather unblushing suggestion of my noble friend that the balance should be given to him.

*THE EARL OF DARTMOUTH: I did not ask for it all.

*THE MARQUESS OF LANSDOWNE: With regard to the £35,000 there was certainly no "hide and seek," because I

have laid on the Table of the House a statement of the manner in which the money was distributed. I now come to the further sum which I mentioned the other day as £100,000. I am glad to be able to tell my noble friend that, thanks to various circumstances with which I need not trouble your Lordships, we shall have a rather larger sum (probably about £130,000) to spend in this manner. After setting aside what will be required for the Metropolitan Volunteers, the remainder of that sum will be distributed to corps which have already, at their own cost, provided themselves with ranges. I quite agree with what my noble friend said, that those corps which took time by the forelock, and underwent considerable sacrifices in order to equip themselves with proper ranges, ought not to be left out in the cold, and they will not be left out in the cold in this distribution. They will receive, according to the circumstances of the corps, grants proportionate to the expenditure from corps funds, grants which will probably amount to about half or one-third of their own expenditure. Then as to the procedure, my noble friend evidently thinks that in these cases the War Office waits for applications from different corps, and makes its selection among the most clamorous applicants. That is not at all what is done. What has been done in regard to these distributions is this. The general officer of the district is instructed to send round an official who is known as the district inspector of musketry, and that official goes round to every corps in the district, whether an application has been received from it or not. He makes his report upon the position of the corps in regard to range accommodation, and gives advice as to the amount of assistance which ought, in his opinion, to be granted. These recommendations are collected and are sent up in a schedule to the War Office, where they are examined by a Committee known as the Ranges Committee. By that Committee they are sifted and revised, and upon the recommendations of that Committee the final distribution takes place. My noble friend will, therefore, see that it is not a question of instructing an applicant how he is to proceed. The corps have to wait until the local military authorities come to them and examine into their position, and report upon that position to the War Office. It may be that in the particular case to which my noble friend referred, an application was made and left unanswered, but he does not tell me by whom or to whom it was made. If it was not answered, or if there was any discourtesy shown, I regret it very much, and if my noble friend will give me the particulars I shall be glad to make inquiry, but I wish my noble friend to understand clearly that the corps' prospect of obtaining a share of this money does not depend on the fact of its having made an application to the War Office.

*THE EARL OF DARTMOUTH: I quite understand that, but I think it would be well if it was generally understood what the procedure is. Those who have been anxious to obtain a share of this grant have been under the impression that it was for them to make the application. Would it not be possible to let the conditions be generally known? I do not think that it is generally known by commanding officers of corps that it is not for them to make the application. I continually get letters asking me what course ought to be followed in order to obtain assistance.

*THE MARQUESS OF LANSDOWNE: I think the best corrective of that statement will be found in the procedure which is on the point of being followed at this moment, and which I endeavoured to describe just now. This officer will go round from corps to corps, and if the corps will possess their souls in patience for a few days or a few weeks, each corps will be visited by the inspector, and will be made thoroughly aware of what is intended.

House adjourned at half-past Five of the clock, to Thursday next, half-past Ten of the clock.

HOUSE OF COMMONS.

Tuesday, 10th July, 1900.

ROYAL ASSENT.

Message to attend the Lords Commissioners.

The House went; and, being returned—

Mr. SPEAKER reported the Royal Assent to a number of Bills (*see page* 1077).

PRIVATE BILL BUSINESS.

PRIVATE BILLS [Lords] (STANDING ORDERS NOT PREVIOUSLY INQUIRED INTO NOT COMPLIED WITH).

Mr. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bill, originating in the Lords, and referred on the First Reading thereof, the Standing Orders not previously inquired into, and which are applicable thereto, have not been complied with, viz. :—

Crystal Palace Company Bill [Lords].

Ordered, That the Report be referred to the Select Committee on Standing Orders.

READING CORPORATION (TRAMWAYS) BILL.

WOLVERHAMPTON GAS BILL.

Lords Amendments considered, and agreed to.

VALE OF RHEIDOL LIGHT RAILWAY BILL.

Lords Amendment considered, and agreed to.

EDINBURGH DISTRICT LUNACY BOARD BILL [Lords].

Read the third time and passed, with Amendments.

ALEXANDRA PARK BILL.

As amended, considered.

Ordered, That Standing Orders 223 and 243 be suspended, and that the Bill be now read the third time.—(*Mr. Caldwell.*)

Bill accordingly read the third time, and passed.

GREAT SOUTHERN AND WESTERN RAILWAY BILL [Lords].

As amended, considered; Amendments made; Bill to be read the third time.

SOUTH STAFFORDSHIRE TRAMWAYS BILL [Lords].

As amended, considered; to be read the third time.

SHANNON WATER AND ELECTRIC POWER BILL.

As amended, considered.

Ordered, That Standing Orders 223 and 243 be suspended, and that the Bill be now read the third time.—(*Mr. Caldwell.*)

Bill accordingly read the third time, and passed.

GLASGOW DISTRICT TRAMWAYS BILL [Lords].

Read a second time, and committed.

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 12) BILL.

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 14) BILL.

LONDON (ST. LUKE) PROVISIONAL ORDER BILL.

LONDON (SOUTHWARK) PROVISIONAL ORDER BILL.

Read the third time, and passed.

EDUCATION BOARD PROVISIONAL ORDER CONFIRMATION (LONDON) BILL [Lords].

Read a second time.

Motion made, and Question proposed, "That the Bill be committed to a Select Committee."—(*Lord Hugh Cecil.*)

Debate arising, and objection being taken to further proceeding, the debate stood adjourned.

Debate to be resumed upon Monday next.

ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 7) BILL [Lords].

TRAMWAYS ORDERS CONFIRMATION (No. 1) BILL [Lords].

Read a second time, and committed.

STANDING ORDERS.

Resolutions reported from the Committee :—

1. "That, in the case of the Caledonian Railway Bill [Lords], the Standing Orders ought to be dispensed with :—That the parties be permitted to proceed with their Bill."

2. "That, in the case of the South Eastern and London, Chatham, and Dover Railways Bill [Lords], the Standing Orders ought to be dispensed with :—That the parties be permitted to proceed with their Bill, provided that Clause 49 be struck out of the Bill :—That the Committee on the Bill do report how far such Order has been complied with."

Resolutions agreed to.

SOUTH EASTERN AND LONDON, CHATHAM, AND DOVER RAILWAYS BILL [Lords].

Report [this day] from the Select Committee on Standing Orders read.

Ordered, That the Bill be read a second time.—(*Mr. Caldwell.*)

MESSAGE FROM THE LORDS.

London United Tramways Bill.—That they do request that this House will be pleased to give leave to Thomas Skewes-Cox, esquire, a Member of this House, to attend in order to his being examined as a witness before the Select Committee appointed by their Lordships on the London United Tramways Bill.

Lords Message requesting the attendance of Mr. Thomas Skewes-Cox considered.

And Mr. Thomas Skewes-Cox, in his place, having consented :—Leave given.

That they have agreed to—Great Eastern Railway Bill; Hamilton, Motherwell, and Wishaw Tramways Bill; St. Albans Water Bill; London and Saint Katherine Docks and East and West India Dock Companies Bill, with Amendments.

That they have passed a Bill intituled, "An Act for rendering valid certain letters patent granted to John Pearce Roe for an invention for improvements in apparatus for shipping or transferring coal and other materials." Roe's Patent Bill [Lords].

ROE'S PATENT BILL [Lords].

Read the first time; and referred to the Examiners of Petitions for Private Bills.

PETITIONS.

FACTORIES AND WORKSHOPS BILL.

Petition from Kingston-upon-Hull, for alteration; to lie upon the Table.

LOCAL AUTHORITIES OFFICERS' SUPERANNUATION BILL.

Petition from Kingston-upon-Hull, in favour; to lie upon the Table.

SALE OF INTOXICATING LIQUORS ON SUNDAY BILL.

Petitions in favour, from Stony Stratford; Hornsey; and Norwich; to lie upon the Table.

SALE OF INTOXICATING LIQUORS TO CHILDREN (No. 2) BILL.

Petitions in favour, from Retford; Worksop; and Norwich; to lie upon the Table.

Petition from Vale of Leven, against; to lie upon the Table.

SUNDAY CLOSING (MONMOUTHSHIRE) BILL.

Petitions in favour, from Darsham; Retford; Norwich; and Louth; to lie upon the Table.

RETURNS, REPORTS, ETC.

FOREIGN JURISDICTION ACT, 1890, AND MERCHANT SHIPPING ACT, 1894.

Copy presented, of Order in Council, of the 29th June, 1900, entitled The Cyprus Maritime Order in Council, 1900 [by Act]; to lie upon the Table.

MERCHANT SHIPPING ACT, 1894.

Copy presented, of Order in Council, of 29th June, 1900, authorising certain Pilot Signals [by Act]; to lie upon the Table.

PILOTAGE.

Copy presented, of Abstract of Returns relating to Pilots and Pilotage in the United Kingdom (in continuation of Parliamentary Paper, No. 242, of Session 1900) as furnished in the various Pilotage Authorities [by Act]; to lie upon the Table, and to be printed. [No. 265.]

WAR RELIEF FUNDS COMMITTEE.

Copy presented, of Minutes of Evidence given before the Committee, with Appendices, the Report of the Committee, and an Index [by Command]; to lie upon the Table.

CIVIL LIST PENSIONS.

Copy presented, of List of all Pensions granted during the year ended 20th June, 1900, and charged upon the Civil List [by Act]; to lie upon the Table, and to be printed. [No. 266.]

ARMY VOLUNTEERS.

Copy presented, of Proposed Regulations under the Volunteers Bill now before Parliament as to special engagements by members of Volunteer Corps [by Command]; to lie upon the Table.

QUESTIONS.

CHINA—ANTI-FOREIGN OUTBREAK—CO-OPERATION OF JAPAN IN SUPPRESSING DISTURBANCES.

SIR E. ASHMEAD-BARTLETT (Sheffield, Ecclesall): I beg to ask the Under Secretary of State for Foreign Affairs whether he has any information to show that Japan did not at the beginning of the Chinese crisis despatch a sufficient force to restore order at Peking owing to the opposition of the Russian Government.

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Mr. BRODRICK, Surrey, Guildford): Her Majesty's Government are not aware of any such opposition having been made by the Russian Government.

MR. MACLEAN (Cardiff): I beg to ask the Under Secretary of State for Foreign Affairs whether Japan has imposed any conditions upon or attached any stipulations to the employment of her troops in North China.

*MR. BRODRICK: No, Sir.

MR. LLOYD-GEORGE (Carnarvon, etc.): On behalf of the hon. Member for Kirkcaldy, I beg to ask the Under Secretary of State for Foreign Affairs whether he will state the date on which Her Majesty's Government addressed a communication to the Government of Japan, proposing that larger reinforcements should be sent to China; and whether the terms of such communication can be laid upon the Table of the House.

*MR. BRODRICK: Communications between Her Majesty's Government and Japan respecting the increase of force required at Ta-ku began on 13th June, and they have continued without intermission. On 22nd June Her Majesty's Government addressed an urgent telegram to the Chargé d'Affaires at Tokio, instructing him to inform the Japanese Government of the critical position of the Legations, and of the large reinforcements placed under orders from India, and urging on the Japanese Government the necessity of immediate action. The papers to be laid will include these despatches.

MR. SWIFT MACNEILL (Donegal, S.): Did Lord Salisbury offer any inducement to Japan to send reinforcements?

[No answer was given.]

SIR E. ASHMEAD-BARTLETT: I beg to ask the Under Secretary of State for Foreign Affairs whether the consent of the Japanese Government to send large reinforcements to put down the disturbances in China is conditional upon the consent of all the Great Powers; and, if so, whether that consent has been given.

*MR. BRODRICK: The answer is "No."

SIR E. ASHMEAD-BARTLETT: To which of my two questions does that apply—the first or the last?

*MR. BRODRICK: I intended to convey that, as far as the Government are aware, there has been no opposition on the part of other Governments. The answer, therefore, applies to both questions.

POSITION AT PEKING—SIR CLAUDE MACDONALD'S DESPATCHES.

*SIR J. COLOMB (Great Yarmouth): I beg to ask the Under Secretary of State for Foreign Affairs whether he can state the date of the last despatch received from Sir Claude MacDonald; whether our Foreign Office has any knowledge of despatches of a later date, sent from foreign Legations at Peking, having been received; if so, can he state the date of the latest despatch from any of the Legations at that place; and, whether any despatch known to the Foreign Office gives any information as to the steps taken, and preparations made, for the defence of the Legations and protection of foreign residents in Peking; and, if so, whether he has any objection to indicate generally the nature of such arrangements so reported.

*MR. BRODRICK: The las telegram addressed by Sir C. MacDonald to the Foreign Office was dated 12th June, three days after Admiral Seymour had landed his force. In it Sir Claude urged immediate measures, which had been already taken. I believe no telegram of later date was received from any other Lega-

tion. Despatches up to 28th May from Sir C. MacDonald were received yesterday. In one of these he describes an interview held on 27th May with Prince Ching, at which the latter stated that as Commander of the Peking Field Force he was willing personally to undertake the protection of all foreigners. It was, however, decided to send for the Legation Guards, but no assault on the Legations appeared at that moment to be contemplated.

NAVAL GUARD AT THE PEKING LEGATION.

*SIR J. COLOMB: I beg to ask the First Lord of the Admiralty whether the British Legation at Peking has any guard furnished by the naval forces on the China station; if so, what is the strength and composition of the guard detached for that service; and whether it was composed of supernumeraries to the complements of ships on the station.

THE FIRST LORD OF THE ADMIRALTY (Mr. G. J. GOSCHEN, St. George's, Hanover Square): Yes. So far as is known there are three officers and seventy-five men of the Royal Marines at Peking. In all probability this guard was drawn from the Wei-hai-wei detachment, and not from ships' complements. Fuller information will doubtless be received later.

SOUTH AFRICAN WAR — HOSPITAL AND MEDICAL ARRANGEMENTS—COMMITTEE OF INQUIRY.

MR. SWIFT MACNEILL: I beg to ask the First Lord of the Treasury whether Sir William MacCormac, who was last week the guest in Dublin of Professor Cunningham, and Dr. Jameson, the Director General of the Army Medical Department, or either of them, were consulted with reference to the appointment of Professor Cunningham as a member of the South African Commission to inquire into the charges brought against the administration of the Army Medical Department, and whether there was any communication with these gentlemen directly or indirectly with reference to Professor Cunningham's appointment.

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): I think that the hon. Member will see that this is a question which ought not to be put, and, if put, one which ought not to be answered.

MR. SWIFT MACNEILL: Am I to conclude that the answer to the question is in the affirmative, and that he is an agent of the Army Medical Department?

MR. A. J. BALFOUR: No, Sir; the hon. Member must only conclude that the question is one which ought not to be put.

MR. BURDETT-COUTTS (Westminster): Can the right hon. Gentleman give the House any information as to when he will announce the new constitution of the committee of inquiry?

MR. A. J. BALFOUR: I hope to be able to give the House the information as to the addition of the new names at a very early date; but it is not a matter easy of negotiation, nor is it to be rapidly carried through.

PROMOTIONS FOR NAVAL OFFICERS SERVING IN SOUTH AFRICA.

SIR E. ASHMEAD-BARTLETT: I beg to ask the First Lord of the Admiralty whether it is intended to issue, before the end of the war, a list of promotions for naval officers who have served with the field forces in Natal or elsewhere in South Africa, similar to that issued for the officers who have come home in the "Powerful"; and whether promotions for naval officers serving with the field forces will be antedated in the case of lieutenants senior to those whose promotions have already been gazetted, so as to avoid serious injustice.

MR. GOSCHEN: The question of any Naval promotions that may be made on account of the war in South Africa will be considered when the despatch is received from the Field Marshal commanding in chief, giving the names of all officers whom he wishes to recommend. Should the Naval Brigades be withdrawn before the end of the war, their case will be specially considered. I am not prepared to answer the last question of the hon. Gentleman.

SIR E. ASHMEAD-BARTLETT: Is the right hon. Gentleman aware that serious injustice will be done to these Naval officers if the promotions are not ante-dated, as is suggested in the question?

MR. GOSCHEN: The hon. Member had better wait and see what is done.

STORES BORROWED BY THE ARMY FROM THE NAVY.

MR. EDMUND ROBERTSON (Dundee): I beg to ask the First Lord of the Treasury whether he will consent to lay upon the Table at an early date a Return showing up to 31st December, 1899, the amounts of the various classes of warlike stores borrowed by the Army from the Navy for the purposes of the campaign in South Africa.

MR. A. J. BALFOUR: There will be no objection to laying the Return, but some of the figures are not yet at our disposal.

SHORNCLIFFE CAMP—HOSPITAL ARRANGEMENTS — DEATH OF SERGEANT WILMSHURST.

CAPTAIN NORTON (Newington, W.): I beg to ask the Under Secretary of State for War if he is aware that at an inquest held on Saturday last, at Shorncliffe Camp, on Sergeant Wilmshurst, of the Sussex Regiment, it was shown in evidence that there was not a single orderly of the Army Medical Corps in the hospital, and that Wilmshurst, when taken to the hospital in a fit, died before a doctor could be found; and in view of the comments made by the jury at the inquest, whether he can say what steps, if any, are now being taken to secure without delay an adequate staff for our military hospitals both at home and abroad.

*THE UNDER SECRETARY OF STATE FOR WAR (Mr. WYNDHAM, Dover): The hon. Member has been misinformed. Sergeant Wilmshurst was brought to hospital at 5.40 a.m., and was received by the orderly wardmaster, who was a Militia sergeant trained in Army Medical Corps duties at Aldershot, and by a first-class orderly of the Royal Army Medical Corps, who had served both at home and abroad, and rejoined for hospital duty as a Royal Reservist in March last. The medical officer was sent for and arrived in a few minutes. The man was unconscious when brought to hospital and evidently dying, but not in a fit. Examination after death showed extensive heart disease quite sufficient to account for the suddenness of his death. No comment or rider was attached by the jury to their verdict. The staff serving at the hospital consists of seventeen non-commissioned officers and men of the Royal Army Medical Corps, besides regimental soldiers.

CAPTAIN NORTON: What proportion of that staff is at the hospital at the present time?

*MR. WYNDHAM: The whole of it is there now, and was there on the occasion in question. The hon. Member read a completely misleading paragraph in the newspapers, for which there was not a vestige of foundation.

NAVAL MANŒUVRES OF 1899—WATER-TUBE BOILERS.

MR. GIBSON BOWLES (Lynn Regis): I beg to ask the First Lord of the Admiralty whether he will lay upon the Table of the House the Report of Vice-Admiral Domvile on the Naval Manœuvres of 1899; and will he in any case lay upon the Table that portion of the Report which relates to the water-tube boilers of H.M.S. "Europa."

MR. GOSCHEN: I do not propose to lay the Report of Admiral Domvile on the Table of the House, but the defects of the "Europa" during the manœuvres in question will be fully set forth in a Memorandum on Belleville boilers, which is being prepared for the discussion on Vote 8.

PAY OF ENGINEERS OF THE FLEET.

SIR FORTESCUE FLANNERY (Yorkshire, W.R., Shipley): I beg to ask the First Lord of the Admiralty whether the recent increase of pay to the engineers of the Fleet is being recouped to the Admiralty by reductions in charge pay to some of the engineers both for cruisers and destroyers; whether charge pay to engineers in charge of machinery of destroyers is to be lowered from 3s. to 1s. 6d.; and whether there is a scarcity of engineers, so that it has been found necessary to place warrant officers in charge of machinery on three of the destroyers.

THE SECRETARY TO THE ADMIRALTY (Mr. MACARTNEY, Antrim, S.): The answer to the first paragraph is in the negative. The maximum rate of charge pay has been reduced, and the whole scale has been recast on the recommendation of the engineer officers themselves, the net result of the changes in regard to pay and allowances of engineer officers generally being an increased charge to the Crown of £14,000 a year. The future rate of charge pay for de-

stroyers will be 2s., and not 1s. 6d. as stated in the question. In accordance with the purpose for which the warrant rank of artificer engineer was created, these officers have been placed in charge of the machinery of a number of smaller vessels, and included in these are four destroyers of the older twenty-seven knot type. Such officers are considered as available engineer officers in the ships to which they are appointed, and such appointment is no indication of a dearth of engineer officers.

SIR FORTESCUE FLANNERY: But is it not the fact that certain individual engineer officers will receive a less payment for their services by this reduction of pay than they have hitherto received?

MR. MACARTNEY: Arrangements have been made to prevent any loss, but it is true that the maximum has been reduced to make a better distribution. Certain individuals in the future will receive less than they have been receiving hitherto.

INDIA—HONNIBAL SHOOTING CASE.

CAPTAIN DONELAN (Cork, E.): On behalf of the hon. Member for East Clare, I beg to ask the Secretary of State for India whether his attention has been called to the Honnibal shooting case, when Captain Wood, accompanied by other officers, fired into a sugar cane plantation and hit an old man; whether he is aware that a villager named Kenguri detained the officers and was afterwards sentenced to four months imprisonment on a charge of assault; whether inquiries have been made as to the injuries sustained by the old man at the hands of the officers; and whether he will lay a statement of the whole case upon the Table of the House.

THE SECRETARY OF STATE FOR INDIA (Lord G. HAMILTON, Middlesex, Ealing): From information received from India, I understand that an officer while out shooting accidentally wounded a native with small shot; subsequently a crowd of villagers collected, and certain of them acted in such a manner as to induce the officers to bring an action for assault and wrongful restraint. I should add that the first acts after their release were to send a doctor to attend to the wounded man, and inform the collector of what had occurred. The result of the action at law was that a native was condemned to three months rigorous imprisonment and one month's simple imprisonment. An appeal has been lodged against this sentence, but has not yet been heard.

INDIAN FIELD BATTERIES.

*SIR CHARLES DILKE (Gloucestershire, Forest of Dean): I beg to ask the Secretary of State for India whether the reorganisation of the heavy field batteries in India diminishes either peace strength or war strength in guns and men.

LORD G. HAMILTON: The whole question of the organisation of artillery in India is now under consideration. Until a final decision has been reached, I cannot give information upon matters of detail.

COLONIAL CHAPLAINS—CHAPLAINS ROYAL.

MR. HEDDERWICK (Wick Burghs): I beg to ask the Secretary of State for the Colonies whether Colonial clergymen are eligible for appointment to the dignity of Chaplains Royal; and, if so, whether any such appointments have as yet been made.

THE SECRETARY OF STATE FOR THE COLONIES (Mr. J. CHAMBERLAIN, Birmingham, W.): I am informed by the Lord Chamberlain, in whose Department is the appointment of chaplains to the Queen, that Colonial clergymen, members of the Church of England, are eligible and have been appointed.

PACIFIC ISLANDS—INCORPORATION OF CERTAIN GROUPS WITH NEW ZEALAND.

MR. HOGAN (Tipperary, Mid): I beg to ask the Secretary of State for the Colonies whether any decision has been arrived at on the subject of the memorandum from the Governor of New Zealand, suggesting the incorporation of certain groups of Pacific Islands within the boundaries of that colony; I beg also to ask the Secretary of State for the Colonies if he will explain how it is proposed to discriminate between the islands of the Pacific that will come within the legislative purview of the Australian Commonwealth Parliament, and those that are regarded by New Zealand as coming within her legitimate sphere of influence.

MR. J. CHAMBERLAIN: In answer to these questions I have to state that the matter is one which must be discussed by Her Majesty's Government with the Governments of New Zealand and of the Commonwealth of Australia when it has been established.

MOROCCO — ANGLO - FRENCH ARRANGEMENTS.

MR. HEDDERWICK (Wick Burghs): I beg to ask the Under Secretary of State for Foreign Affairs whether the recent occupation of Igli by French troops is in contravention of the delimitation of frontiers treaty of 1845, concluded between France and Morocco, and is also a breach of a subsisting convention agreed to by France and Great Britain; and whether any representations on the subject have been made to France by Her Majesty's Government; if so, with what result.

*MR. BRODRICK: The question whether the occupation of Igli by French troops is in contravention of the Franco-Moorish Treaty of 1845 is one which primarily concerns the Governments of those two countries, and Her Majesty's Government do not at present feel called upon to pronounce an opinion on the subject. As I have already stated, Her Majesty's Government have no separate understanding with France in respect of Morocco. No representations on the subject of the French occupation of Igli have been made to France by Her Majesty's Government. They have, however, as I informed the hon. Member on 24th May, received assurances at different periods of the desire of the French Government to maintain the *status quo*.

COMMERCIAL TREATY WITH GERMANY—POSITION OF CANADA.

GENERAL LAURIE (Pembroke and Haverfordwest): I beg to ask the First Lord of the Treasury whether, in the new Commercial Treaty now being negotiated with Germany, the Dominion of Canada is specially excepted from the favourable rates therein given to the remainder of the British Empire; whether this exception is made on account of the provisions of the tariff lately passed by the Parliament of Canada giving preferential tariff rates to the mother country, and to other portions of the Empire as compared with foreign countries; and whether, in view of the loss of trade that has been inflicted on Canada by the exclusion of her products from Germany, except on unfavourable terms, the Government have given any consideration to the question whether some compensating advantage can be given to Canada.

MR. A. J. BALFOUR said that the negotiations with Germany as to the new Commercial Treaty were proceeding on the lines that it was not applicable to any colony unless notice was given on behalf of such colony that it desired to be included. The hon. Member was probably referring to the law which had been passed by the Reichstag pending the negotiations for the treaty. Under that law Germany had not extended to Canada and Barbados the most-favoured-nation treatment for their products, for those colonies had not, in the opinion of the German Government, reciprocated. He was not aware that the action of Germany had inflicted loss on the trade of Canada, which he was glad to say had greatly increased during recent years.

GENERAL LAURIE: Has not the importation of Canadian products been forbidden in Germany, except on unfavourable terms, since Canada gave preferential rates to the mother country?

MR. A. J. BALFOUR: The hon. and gallant Gentleman had better put down notice of the question, as this is not a matter with the details of which I am familiar.

LIGHTHOUSE COMMUNICATION— WIRELESS TELEGRAPHY.

SIR R. PENROSE - FITZGERALD (Cambridge): I beg to ask the President of the Board of Trade whether the Interdepartmental Committee to whom the question of wireless telegraphy for life-saving purposes has been referred is a Committee appointed in consequence of the recommendation contained in the final Report of the Royal Commission on Electrical Communication with Lighthouses and Light Vessels; and whether such Committee comprises all the representatives suggested by the Royal Commission—namely, the Board of Trade, the Post Office, the Trinity House, and other lighthouse authorities, the Royal National Lifeboat Institution, and the Admiralty.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. RITCHIE, Croydon): The Inter-departmental Committee to which my hon. friend refers was appointed to consider and report (*a*) with respect to the provision and maintenance of communication between outlying lighthouses and light vessels and the shore, and whether any, and, if so, what extension and improvement can be made therein, special regard being had to a system of wireless telegraphy; (*b*) how far and subject to what conditions the means of communication with such light stations can be made available for private messages without affecting the efficiency and safety of the lighthouse service; and (*c*) how far the connections between shore lighthouses and post offices or coastguard stations should be made available for private messages. This Committee has superseded that which was appointed in consequence of the recommendation contained in the final Report of the Royal Commission on Electric Communication with Lighthouses and Light Vessels, and comprises representatives of the Board of Trade, Admiralty, Treasury, Post Office, and Trinity House.

SIR R. PENROSE-FITZGERALD: I beg to ask the President of the Board of Trade whether he will give instructions to the Inter-departmental Committee to whom the question of wireless telegraphy for life-saving purposes has been referred, to communicate with the German Government and the German lifeboat authorities as to the exact nature of the system in use in the Borkum light-vessel.

MR. RITCHIE: Yes, Sir; the Committee will endeavour to ascertain the nature of the system of communication with the Borkum light-vessel which has been adopted.

SAVINGS BANKS AND FRIENDLY SOCIETIES BILL.

MR. GIBSON BOWLES: I beg to ask Mr. Chancellor of the Exchequer, does he propose to proceed with the motion for the Second Reading of the Savings Banks and Friendly Societies Bill, which substitutes a varying rate of interest for the fixed rates now payable by law to the depositors in Post Office Savings Banks; and, if so, can he say on what day the Second Reading debate will be taken.

THE CHANCELLOR OF THE EXCHEQUER (Sir M. HICKS BEACH, Bristol, W.): I am not in a position to say at present.

COURT OF CRIMINAL APPEAL—JUDGES ON JURY VERDICTS.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the Secretary of State for the Home Department whether, in view of the fact that at the recent Assizes at Chelmsford and Worcester respectively, judges have in two cases publicly expressed disapproval of the verdicts of juries on prisoners tried before them, he will use his influence with the Government to induce them to take steps to establish a Court of Criminal Appeal; and whether he will cause inquiry to be made into the cases of these prisoners by way of review of the convictions.

*THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Sir M. WHITE RIDLEY, Lancashire, Blackpool): The cases referred to are being enquired into, but I do not think that what has occurred in them is at all decisive on the difficult question as to the desirability of establishing a Court of Criminal Appeal.

HISTORICAL MANUSCRIPTS COMMISSION—HARDWICKE PAPERS.

*SIR HENRY FOWLER (Wolverhampton, E.): I beg to ask the Secretary to the Treasury whether the Historical Manuscripts Commission will publish in their series of reports extracts from the Historical and Political Correspondence and Papers of the First Earl of Hardwicke, recently purchased by the trustees of the British Museum.

THE FINANCIAL SECRETARY TO THE TREASURY (Mr. HANBURY, Preston): The Queen's authority to the Commissioners directs them to investigate manuscripts belonging to private persons, and it is clearly better that they should limit themselves to this field instead of encroaching on the work which is at present admirably performed by the officers of the Museum itself.

*SIR HENRY FOWLER: Then are we to understand that where valuable manuscripts are in private muniment rooms, and the nation purchases them, the nation is to be excluded from seeing them?

MR. HANBURY: The nation can see them, of course, at the British Museum.

*SIR HENRY FOWLER: They cannot.

POSTAL DELAY IN THE METROPOLIS.

MR. COHEN (Islington, E.): I beg to ask the Secretary to the Treasury, as representing the Postmaster General, whether he is aware that a number of letters posted in closed envelopes in the E.C. district by the Bank of England and other dividend-paying agencies on 30th June and subsequent days, and containing dividend warrants and other cheques, were not delivered in districts within the metropolitan area till periods varying from twelve hours to three days after posting; and whether the new postal arrangements affect letters posted and delivered within the metropolitan area; and if not, what is the cause of these delays, and when may they be expected to cease.

MR. HANBURY: The Postmaster General, I am informed, is not aware that any such delay as the hon. Member describes occurred; but it is probable that some of the large number of letters collected from the Bank of England on the date named were not delivered in ordinary course, because it appears to have been found impossible at the Bank to comply with the Department's request that the letters should be divided into batches for London and the provinces respectively. The new arrangements do not, as a rule, affect letters posted and delivered within the metropolitan area, but it is essential to punctual delivery that letters posted in the E.C. district in the usual way, should be put into the proper boxes according to their destination; that is to say, London letters into the London box and provincial letters into that for the provinces.

MR. COHEN: May I ask whether it is not possible to give some clearer indication on the letter-boxes as to the division in which letters should be posted; because the present instructions are invisible in the dark hours?

MR. HANBURY: Now that letters are sorted, some at St. Martin's-le-Grand and some at Mount Pleasant, it is all the more important that the right letters should be put into the right boxes. Whether the intimation to the public is sufficiently clear I do not know, but I will suggest to the Postmaster General that the public should be fully impressed with this necessity.

MR. COHEN: Are the double boxes confined to the E.C. district?

MR. HANBURY: Oh, no. They are all over London.

*SIR HENRY FOWLER: Does the right hon. Gentleman know that now it takes a longer time to send a letter from the E.C. district to Kensington than to Birmingham?

MR. HANBURY: I am afraid that the right hon. Gentleman is correct in his statement. I myself have had experience of a number of letters so delayed.

*SIR HENRY FOWLER: Will the right hon. Gentleman take steps to put an end to the delay?

MR. HANBURY: It is not in my power to do so. But I will press the Postmaster General to do so.

MR. GIBSON BOWLES: Is there to be an extension of this system of making the public sort its own letters under penalty of delay in the delivery?

MR. HANBURY: I do not know whether it will be extended. But it is universal all over London.

AN HON. MEMBER: No.

MR. DILLON (Mayo, E.): Is this system the result of the appointment of Lord Londonderry?

*MR. SPEAKER: Order, order!

DELAYS IN AUSTRALIAN MAIL DELIVERIES IN LONDON.

MR. HOGAN: I beg to ask the Secretary to the Treasury, as representing the Postmaster General, whether he is aware that there have been repeated delays in the delivery of the Australian mails in London through the inefficiency of the Continental railway arrangements; and whether the Postmaster General can bring any pressure or influence to bear upon the French and Italian railway

authorities with a view to securing the rapid and uninterrupted transit of the Australian mails to London.

MR. HANBURY: The Postmaster General is aware that on one or two recent occasions the Australian mails have sustained delay in their transmission from Naples to this country, and, as was stated in reply to a somewhat similar question in this House last week, he is making continued effort to prevent delay in this service. Representations have already been addressed to both the French and Italian Governments on the subject.

CALEDONIAN RAILWAY—DUMFRIESSHIRE TRAIN SERVICE.

MR. JOHNSON-FERGUSON (Leicestershire, Loughborough): I beg to ask the President of the Board of Trade whether his attention has been called to the service of trains between Carlisle and the local stations of the Caledonian Railway in Dumfriesshire, which frequently entails on passengers to and from stations south of Carlisle a delay at Carlisle of two or three hours before getting a train to take them to their destination; and whether, considering the obligation of the railway companies to provide reasonable facilities, he will, in the interest of the public, use his good offices with the Caledonian Railway Company to secure a better service of local trains.

MR. RITCHIE: I have been in communication with the railway company concerned in regard to the hon. Member's question, and they state that the local trains now run to and from Carlisle are as numerous as the demands of the traffic would justify. It is added that an additional train put on experimentally last year to connect with the down day express from London was made little use of. I shall be happy to show the company's reply to the hon. Member if he so desires.

FEE GRANTS (SCOTLAND) RETURN.

MR. CALDWELL (Lanarkshire, Mid): I beg to ask the Lord Advocate if he can state the amounts paid out of the Local Taxation (Scotland) Account in respect of each of the four headings left blank, for the year ending 31st March, 1899, in the Return headed Fee Grant (Scotland), No. 224 of that year, and if he can state the amounts respectively under the same headings, and also under the heading immediately following, for the year ending 31st March, 1900.

*THE LORD ADVOCATE (Mr. A. GRAHAM MURRAY, Buteshire): The figures desired by the hon. Member in the order of the headings of the Return are for 1899: £161,912; £5,379 12s. 2d.; 621,405; £372,332 14s. For 1900: £149,073; £64,036 15s. 5d.; 626,341; £374,090 13s.; £321,396.

COAGH (CO. TYRONE) POSTAL SERVICE.

MR. DOOGAN (Tyrone, E.): I beg to ask the Secretary to the Treasury, as representing the Postmaster General, if his attention has been called to the fact that the existing post office service at Coagh, county Tyrone, is defective in consequence of its mails being sent viâ Moneymore instead of from Cookstown; is he aware that the change of connection to Cookstown could be made at slight cost, and, if made, that English and Dublin mails would reach Coagh seven hours and thirty-five minutes sooner than they do at present, and that replies to English letters would reach their destinations in two days instead of four; and whether, with a view to remedy the grievance, he will reconsider the memorial of the inhabitants of Coagh and district.

MR. HANBURY: The question of serving Coagh from Cookstown instead of from Moneymore, with the view of accelerating the day mail from Dublin containing the English letters, was considered last year, but it was found that the change could not be made without considerable additional expense, which the circumstances did not justify.

MR. DOOGAN: I will send the right hon. Gentleman some information on the subject.

IRISH MEDICAL OFFICERS OF HEALTH.

MR. HOGAN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been directed to the provision of the new Sanitary Order of the Irish Local Government Board, by which the tenure of Irish medical officers of health has been fundamentally altered from that provided by

the Act of 1878, which secured fixity of tenure save for sufficient cause; and whether he can state the authority under which the alteration has been made.

THE CHIEF SECRETARY FOR IRELAND (Mr. G. W. BALFOUR, Leeds Central): The hon. Member is under a misapprehension. The provisions of the new Sanitary Order in regard to the tenure of medical officers of health are identical, except for slight differences of wording, with those contained in the Order issued under the Public Health Act of 1878.

LICENSING CONVICTION AT CAHIRCIVEEN.

MR. FLAVIN (Kerry, N.): I beg to ask Mr. Attorney General for Ireland whether he is aware that at the Cahirciveen petty sessions, which were held about the middle of June, 1900, the following magistrates attended: Messrs. J. W. Leahy, A. J. M'Dermott, R.M., and the Hon. Francis Spring Rice, and that a local licensed publican named Mary O'Neil, of Renard, was fined by those magistrates in a sum of £2, and a record on the licence; whether the offence charged against Mary O'Neil was the sale of drink after the legal closing hours; whether he is aware that the only evidence given in this case was that the licensed publican treated gratuitously the man found on the premises to a half glass of whisky; and, whether he can state what offence was committed.

MR. G. W. BALFOUR: The facts are as stated in the first and second paragraphs, except that the date of the petty sessions was the 12th May. As regards the third paragraph, the decision of the justices at petty sessions was upheld on an appeal brought by Mrs. O'Neil to the Killarney quarter sessions; evidence to the effect stated may have been given on her behalf—for that appears to be the usual defence—but evidence of a sale of drink, apparently of a more convincing character, was produced by the police against this publican, who has three times previously within the last three years been convicted of a similar offence.

MR. FLAVIN: Was the man found on licensed premises a fisherman who had slept seven miles away the night before, so that he was a *bona fide* traveller?

*MR. SPEAKER: Order, order!

ROCKCORRY SPIRIT LICENCE CASE.

MR. MACALEESE (Monaghan, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether any report has been made to the constabulary or excise authorities in Ireland in relation to the case wherein the agent of Lord Dartrey's estate obtained, in his own name, a transfer of a spirit licence at Rockcorry petty sessions; has the agent, Mr. Leslie, complied with the requirements of the law by placing his name above the public-house door as licensed to sell drink for consumption on or off the premises, or is the name of his predecessor still there; and has the Government finally decided to take no action in relation to the manner in which this magistrate and land agent obtained the transfer.

MR. G. W. BALFOUR: The police have no duties to discharge in relation to the matters mentioned in the first paragraph. When the transfer of the licence is completed it will be the duty of the police to see that the person named in the excise licence complies with the provisions of the law referred to in the second paragraph. The answer to the last paragraph is in the affirmative. No necessity for any action on the part of the Government has, so far, arisen.

LOCOMOTIVES ON IRISH PUBLIC ROADS.

MR. MACALEESE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he can see his way to add to the Local Government (Ireland) Amendment Bill a clause to assimilate the law in Ireland to that of England in reference to the use of locomotives on public roads.

MR. G. W. BALFOUR: Such a clause would be out of order and could not be added to the Bill.

FISHERY REPRESENTATION ON THE IRISH AGRICULTURAL BOARD.

MR. SETON-KARR (Lancashire, St. Helens): I beg to ask the Vice-President of the Department of Agriculture for Ireland, as under the provisions of the Agricultural and Technical Instruction (Ireland) Act, 1899, the entire powers and duties of the Inspector of Irish Fisheries are placed under the control of the Department created by the said Act, whether the Agricultural Council and the

Agricultural Board have power to advise the Department on the various subjects, including fisheries; whether the said Council and Board are now fully constituted; and will he explain why, although the Department had the power of appointing thirty-four members to the said Agricultural Council and four member to the said Agricultural Board, no representatives of the large fishery owners have been selected among the said members so appointed; and whether the Government will take any, and, if so, what steps to secure adequate representation of the large fisheries of Ireland on the Agricultural Board or other appropriate Department.

MR. G. W. BALFOUR (for Mr. PLUNKETT): The reply to the first paragraph is in the affirmative, but the disposal of the sum of £10,000 a year assigned for the purposes of sea fisheries in the Act is under the full control of the Department, and does not require the consent of any other body. The Council and the Board are fully constituted. In selecting persons for appointment on both bodies the Department took into consideration the various public interests involved, and did not consider it their duty to provide, as the hon. Member's question appears to suggest, for the representation of private interests. I understand that amongst the representatives appointed are persons who were chosen with reference to fishery interests.

MR. SETON-KARR: Is it not a fact that, while the fisheries are valued at £600,000, the only two members appointed to represent it are one whose fishery interest is valued at £15 a year and another interested to the extent of £20 a year, while the rest of the industry is absolutely unrepresented?

*MR. SPEAKER: Order, order! That hardly arises out of the question.

ARKLOW FISHERMEN AND DRIFT-NET FISHING.

MR. JAMES O'CONNOR (Wicklow, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will favourably consider the request of the fishermen of Arklow for the repeal of the laws prohibiting drift-net fishing between sunrise and sunset, as stated in their petition presented to this House.

MR. G. W. BALFOUR: If a copy of the petition referred to be forwarded to the Department of Agriculture and Technical Instruction, the matter will be considered.

IRISH LOCAL GOVERNMENT BOARD AND IRISH COUNTY COUNCILS.

SIR THOMAS ESMONDE (Kerry, W.): I beg to ask the First Lord of the Treasury if an opportunity will be given this session to discuss the action of the Local Government Board for Ireland towards the Irish county councils.

MR. A. J. BALFOUR: This matter has already been discussed twice, and I think it has had its proper share of Parliamentary time.

IRISH NEWSPAPERS IN THE BRITISH MUSEUM.

SIR THOMAS ESMONDE: I beg to ask the First Lord of the Treasury if he will take steps to secure that the local newspapers relating to the counties of Wexford and Kerry prior to the year 1835, which have accumulated in the British Museum, and are now about to be destroyed, be handed over to the county councils of these two counties respectively.

MR. A. J. BALFOUR: The British Museum Bill has been withdrawn, and the authorities, therefore, have no power to destroy the newspapers.

MR. FLAVIN: Is the right hon. Gentleman aware that these county councils have passed resolutions asking for the return of these papers? Have the British Museum authorities acceded to their request?

MR. A. J. BALFOUR: I cannot say.

MR. SWIFT MACNEILL: Have the trustees of the British Museum any legal power to destroy documents?

MR. A. J. BALFOUR: No. As I understand it, the Bill asked power to transfer the custody of the papers to the local authorities; but it has been withdrawn, and they must, therefore, retain them.

BUSINESS OF THE HOUSE.

MR. EDMUND ROBERTSON: When will the Memorandum on Water-tube

Boilers be in the hands of Members? Will the Navy Vote be taken on Friday?

MR. GOSCHEN: In all probability the Navy Estimates will be taken on Friday, and I hope that the Memorandum will be issued in time before the discussion. It depends, however, on the final print of the Memorandum whether the Estimates will be taken; but I am almost sure that they will.

*SIR CHARLES DILKE: We shall know, at the latest, to-morrow?

MR. GOSCHEN: Yes.

MR. TENNANT (Berwickshire): I beg to ask the First Lord of the Treasury whether he is still in hopes of being able to proceed with the Factories and Workshops Bill.

MR. A. J. BALFOUR: Yes. I hope to make a statement on Monday, and until then my hopes are not of a defined kind.

MR. DILLON: When is it proposed to take the Third Reading of the Irish Tithes Bill? Will it be put down as the first Order of the Day?

MR. A. J. BALFOUR: I hope to take it as the first Order on Thursday. Of course, it depends in part on the progress made with the Agricultural Holdings Bill.

SUNDAY CLOSING (WALES) ACT (1881) AMENDMENT BILL.

Reported from the Standing Committee on Law, etc., with Amendments.

Report to lie upon the Table, and to be printed. [No. 267.]

Minutes of Proceedings of the Standing Committee to be printed. [No. 267.]

Bill, as amended (in the Standing Committee), to be considered on Thursday, and to be printed. [Bill 291.]

MESSAGE FROM THE LORDS.

That they have passed a Bill intituled "An Act for the regulation of the burning of human remains, and to enable burial authorities to establish crematoria." Cremation Bill [Lords].

STANDING COMMITTEE ON TRADE, ETC.—COMPANIES BILL.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. RITCHIE, Croydon): I have to move the resolution standing in my name. I should like to explain that, although it has rather a formidable appearance, it is in accordance with custom, and the House will understand that even if it passes it will be entirely in the hands of the Committee to say on what days they will meet and how long they will sit. There is no intention to ask the Committee to suffer any undue strain either of time or attention; but a heavy Bill has to be dealt with, and, having regard to the late period of the session and the universal desire that this Bill or something like it should be passed, I hope that the House will assent to the motion. I may point out that so far we have only had three sittings, and each only lasted about two and a half hours. We have got through but very few clauses, and though I do not think there will be any necessity for very frequent sittings or undue debate, I do suggest it should be put in the power of the Committee to sit more frequently and longer if they so desire.

Motion made, and Question proposed, "That, until the conclusion of the consideration of the Companies Bill, the Standing Committee on Trade, etc., have leave to sit every day during the sitting, and notwithstanding the adjournment of the House."—(*Mr. Ritchie.*)

MR. OLDROYD (Dewsbury): On what day will the Committee next sit?

MR. RITCHIE: It will sit on Thursday, and I want to make it possible for it to sit on Friday if it will consent to do so.

SIR J. FERGUSSON (Manchester, N.E.): Is this motion, which is of the kind usually made by the Chairman of the Committee, proposed with the consent of the Committee?

MR. GALLOWAY (Manchester, S.W.) said the right hon. Gentleman had rather suggested that members of the Committee who had taken great interest in the Bill has obstructed its progress. Now, for his part he ventured to say that they, like himself, desired to see the Bill passed in the best possible form. It must be apparent to everybody on the Committee that it contained a great many points

which the right hon. Gentleman himself had not even considered until the Committee sat. He was not suggesting that the right hon. Gentleman was in any way to blame for that, for, as they knew, the Bill had come down from the House of Lords, which had taken six years to produce it. The right hon. Gentleman now suggested that more time should be given to the Bill, and that the Committee should sit oftener. They had so far only held three sittings, each of them lasting rather over two and a half hours, and he did not think it could be denied that they had made considerable progress. This motion had been made without the Committee being consulted and having an opportunity of stating whether or not they desired it. He for one strongly protested against it. Under it power was taken to sit on Saturdays, although he hoped it was not the intention of the right hon. Gentleman to do that. In order to make it quite clear, however, he would move as an Amendment to insert after "every day," "except Tuesdays, Thursdays, and Saturdays during the sitting of the House, but not later than half-past three."

MR. BARTLEY (Islington, N.): Is it in order for an individual member of a Committee without consulting that Committee to move such a resolution as this?

MR. GIBSON BOWLES (Lynn Regis): Is it not the fact that a Committee appointed by this House is a foreign body sitting outside, and of the proceedings of which this House has no knowledge until it receives its Report? Is it not the case that the House can only be properly informed of the proceedings of a Committee through its chairman?

*MR. SPEAKER: The motion is one for which there are precedents. It is in order for the Government dealing with a Government Bill to put down a motion of this kind without consulting the Chairman of the Committee. It is quite true that a motion is frequently made at the very commencement of the sitting of the House, and without notice, to enable a Committee to prolong its sitting, and that I do not put it from the Chair unless it is moved by the Chairman or some Member specially designated by him. But that only applies to motions made at that time, and of which no notice has been given. But this is a motion by the Government in respect of a Government Bill. Notice was given of it, and it is in order.

MR. BRODIE HOARE (Hampstead) seconded the Amendment. He did not entirely agree with all said by the hon. Member who moved it, as he would like also to exclude Wednesdays, for the very good reason that the Public Accounts Committee, of which he was a member, met on that day, and obviously he could not be in two places at the same time. He wished, further, to add his testimony to what was said by the hon. Member for South-west Manchester, that there had been absolutely no obstruction and no long speeches. The divisions had been very close: in one the Government had been beaten, and in several cases they had only had a majority of two. The divisions had not been taken on party lines. The Bill had proved to be one of most extraordinary complication, and it required, if he might repeat a famous phrase, a "few men of common sense" to give it very careful consideration. Although ten clauses had been passed, the most contentious points had been reserved for the Report stage. If the motion of the right hon. Gentleman were carried, the only thing he could do would be to absent himself entirely from the Committee, and devote his energies to the Report stage. He had put down Amendments which he did not intend to be obstructive, but which he believed to be important, and he would move them some time, with a view to improving the administration of joint stock companies. He had given up the directorship of one of the two very important companies with which he was connected, in order to assist in passing a satisfactory Bill.

*MR. SPEAKER: The form of the Amendment would be improved if it were put as follows—

"To leave out the words 'every day' in order to insert 'on Mondays and Fridays until half-past Three o'clock.'"

MR. GALLOWAY: I will accept that form.

Amendment proposed—

"After the words 'every day,' to insert the words 'on Monday and Friday until half-past Three o'clock.'"—(*Mr. Galloway.*)

Question proposed, "That the words 'every day' stand part of the Question."

MR. RITCHIE: The hon. Member made one statement which I wish at once to contradict. I do not think he has been present at all the meetings.

MR. BRODIE HOARE: I was prevented by urgent business from attending yesterday's meeting, but I have been present at the others.

MR. RITCHIE: It was at the last meeting that the question arose of more frequent sittings. It is not accurate to say that all the important points have been reserved for the Report stage. I appeal to the right hon. Gentleman the Member for East Wolverhampton if I am not correct in that. At the last meeting considerable dissatisfaction was expressed in more than one quarter at the short time the Committee had to work. It was suggested that the Committee should sit longer on that particular day, but there were some dissentients, and at last the Chairman said he would go down to the House and ask for liberty to sit. I then stated I would call further attention to the matter and move a resolution on the subject. Subsequently I consulted my hon. friend the Chairman of the Committee as to the best course to pursue, and he expressed his own readiness to come down and move the resolution now under debate. I said I did not think it was necessary that he should do so. It has now been moved in the usual form. I need hardly say I shall not ask the Committee to consent to meet on Saturdays, nor will it be invited to meet at any day or hour which would be inconvenient to the great bulk of the members. But it might sometimes sit till four or five o'clock, and perhaps meet on one or two extra days, so that it may get through its work, and report the Bill to the House in time to enable it to consider the various important questions involved. It is most desirable that we should make a strong endeavour to pass this Bill, which has been before Parliament four or five years.

SIR ALFRED HICKMAN (Wolverhampton, W.): May I point out that this motion is purely a permissive one, and when it is passed it will still be in the hands of the Committee to decide when and how long it shall sit. I should be extremely sorry to see the labour spent on this Bill thrown away for the sake of having one or two additional meetings of the Committee.

MR. LAWSON WALTON (Leeds, S.): As a member of the Committee who has taken some little interest in the Bill, I venture to express a hope that the motion of the right. hon. Gentleman will be accepted. Some members of the Committee have, at considerable personal inconvenience, made a point of attending the meetings, and it has been not a little disappointing to find what an extremely small amount of time has been at our disposal. When only one or two matters have been discussed the hands of the clock have approached three, and the time has arrived for adjourning. If the motion is carried, the Committee will still be able to arrange its own meetings and consult its own convenience.

MR. GIBSON BOWLES: Do I understand that the Amendment as now worded will exclude Wednesdays?

*MR. SPEAKER: Yes.

MR. GIBSON BOWLES: It is very important that members of the Public Accounts Committee should be present at the meetings of that body, and therefore I hope the House will agree to the exclusion of Wednesdays. I cannot comprehend the right hon. Gentleman coming down here otherwise than as the mouthpiece of the Committee; unless he is so his action strikes at the very root of the constitutional power of the Committee. If you are to say that a Committee is to be in the hands of any Member of the Government, and that any proposition, however wild, novel, or unexpected, may be brought forward by him simply because he happens to sit upon the Committee, you strike at the root of the authority and power of that Committee. It seems to be clear that in this instance the Committee has not been consulted. If it had been, then I conceive it was the duty of the Chairman, and not of an incidental member of the Government who happens to be on it, to act as its mouthpiece here. It behoves the House to deal very carefully with this matter. I hope the right hon. Gentleman will reconsider his motion. I think he has done this thing without reflection, and here is an opportunity for the right hon. Gentleman to make a graceful concession and to state that he will accept the Amendment.

*SIR HENRY FOWLER (Wolverhampton, E.): I feel it my duty to express my concurrence with what has fallen from the

Members for West Wolverhampton and South Leeds, and I would also endorse what was said by the hon. Member for Hampstead that there is great need on the Committee for men of common sense. I would ask the House to deal with this matter in a common-sense way and not wander into any of the constitutional by-paths suggested by the hon. Member for King's Lynn. The hon. Member said that there was only one member of Her Majesty's Government upon that Committee; but I would remind him that upon that Committee there will be found the Chancellor of the Exchequer, the Attorney General, the Solicitor General, and the Secretary to the Local Government Board. I think that is a very fair complement of Government representatives. This motion is really to enable the Committee to do what it likes. Under the rules of the House the moment the bell is heard tingling, whatever the Committee are doing, they have to stop. A Committee which assembles at twelve o'clock to rise at three, with an adjournment for half an hour for lunch, has not much time for business. The Committee come to the House and ask to be emancipated from this position, leaving the matter entirely in the hands of the Committee. My experience of the right hon. Gentleman opposite and the Chairman of the Committee makes me absolutely certain that no measure will be passed by the Committee to interfere with the convenience of Members, or with Wednesdays or Saturdays. What we want to be able to do is to meet at eleven if we choose, or go on till five, in order to get through the work which the House has given us to do. I wish to ask another question, and it is whether this Bill is to be passed or not? A large number of hon. Members would have liked to have seen the Companies Bill made somewhat stronger; but, speaking with some knowledge of rejecting a Bill one session in the hope of a stronger measure being brought forward in the next session, I think a bird in the hand is worth two in the bush, and this is a very good Bill as far as it goes. Hon. Members will have an opportunity of considering the measure when it comes down from the Committee. In the meantime the Committee stage must be got through, and it cannot be got through in the limited time which is placed at the disposal of the Committee this session. I think it would be a very great pity and would strike a very serious blow at these Committees if, after a large number of Members had devoted their time and attention to endeavouring to pass a Bill, that Bill should be thrown over at the end of the session and all their labour wasted. I shall support the motion of the right hon. Gentleman the President of the Board of Trade.

MR. JAMES LOWTHER (Kent, Thanet): At the risk of wandering into one of those constitutional by-paths alluded to by the right hon. Gentleman the Member for East Wolverhampton, I would like to call attention to the ordinary method of procedure. The right hon. Gentleman wants every Standing Committee to be the custodian of its own movements, to sit when it likes and where it likes. I must remind hon. Members that the House has always itself laid down a general rule upon this question which it has only varied under special circumstances. The service of the House, after you, Mr. Speaker, have taken the Chair, has always had precedence over all other business, and I do protest against the doctrine being laid down that the service of the Honse itself is to be put aside, and that hon. Members are to be called upon to perform dual services upstairs and down at the same time. The way to get over the difficulty is that the Committee should sit at a reasonable hour which suits the convenience of the Members, but they should not be permitted by the House to sit after 3.30. I think that to sit after that time would be running counter to all precedent, and it is not merely red tape, but it simply means that the service of the House itself stands forward as our first consideration. I venture to suggest that 3.30 of the clock should be the limit.

MR. MACLEAN (Cardiff): As a humble member of the Standing Committee I wish to point out that the question is not so much whether the Bill is to pass or not, as was asked by the right hon. Gentleman the Member for East Wolverhampton, but whether the Bill is to be passed with or without adequate discussion. It is impossible for this Bill to be passed with adequate discussion if you call the Committee together to discuss the Bill when the busiest members of it are engaged elsewhere. They will not attend then, and the measure will be discussed in a very perfunctory manner. What is

the meaning of all this hurry? I never saw the motion of the right hon. Gentleman until I came down to the House today, and nobody ever suspected that such a motion was going to be made. One might assume from this hurry that the existence of the Government was at stake, and that the Government would inflict upon the country the calamity of going out of office if the Bill were not passed. It is a most contentious and difficult Bill, and it is impossible not to admire the ingenuity and skill with which the Committee have discussed every line and word of the clauses of the Bill already dealt with. I think the House should have an almost perfect Bill brought before it. It is really of little importance whether the Bill is passed this year or next year, for it does not virtually affect the business of the country. I do not think the right hon. Gentleman the President of the Board of Trade has shown the slightest reason for the extraordinary course which he has taken.

*Mr. MARKS (Tower Hamlets, St. George's): As a member of this Committee, I wish to say that I share the expression of regret made by my hon. friend that this matter was not mentioned when the Committee was sitting because if it had been so mentioned an opportunity would have been given of making a suggestion to the right hon. Gentleman in charge of the Bill which I may be permitted to make now, and which would tend to save time. It is that he should confer with those members of the Committee who put down acceptable Amendments on the Paper with a view to reducing the amount of discussion that goes on in connection with them. During the past three sittings we have been discussing Amendment after Amendment and voting them down, and after they have been discussed and rejected the right hon. Gentleman has more than once accepted some Amendment which has stood on the Paper the whole time. If those Amendments had been accepted in the first instance, all the discussion which preceded them would have been rendered unnecessary. There is a strong disposition to put the Bill forward as rapidly as possible, but if quick progress is to be made, useless discussion must be avoided, and the acceptance of reasonable Amendments, to which no real objection exists, should be promptly notified.

Mr. Maclean.

*Mr. ARTHUR O'CONNOR (Donegal, E.): As Chairman of the Committee I desire to say a word or two to remove any misapprehension that may exist as to my own position in this matter. The fact is that at several sittings of the Committee there has been a desire manifested to make progress with the Bill if necessary during the time when the House is sitting. This was especially so at the last meeting, at the conclusion of which I signified to the right hon. Gentleman the President of the Board of Trade that I was perfectly willing to move in the House for leave for the Committee to sit during the sittings of the House. The right hon. Gentleman kindly expressed his readiness to make such a motion himself, and that is the motion which I anticipated would be on the Paper. When I saw the actual terms of the motion this morning for the first time, I was very much surprised. The right hon. Gentleman has informed me, since I entered the House this afternoon, that he was informed at the Table that this was the usual motion made upon occasions of this kind; and under those circumstances I presume that I should myself have had to make a motion in the same terms. It appears to me, however, that those terms are a great deal too wide. I could not comply with them myself. I am bound, for instance, to be on Wednesdays in the Chair in the Public Accounts Committee, and it would be impossible for me to be in the Chair of the Standing Committee on that day. The difficulty might, perhaps, be got over by means of an Emergency Chairman, under the arrangements which members of the Chairman's Panel make among themselves; but that is not desirable. It appears to me that a motion asking for leave to sit while the House is sitting is all that is necessary. The Committee already have the power to meet at eleven or twelve o'clock. It also has power to meet on a Monday, Tuesday, Thursday, or Friday, and last week the Committee did sit on Tuesday instead of the usual Monday, and the same divergence from the usual practice could be exercised by the Committee at its discretion. I think, therefore, that a motion for leave to sit while the House is sitting would meet all the requirements of the case. The reason I rose to explain was lest some hon. Members of the Committee should think that I was in any way wanting in my duty to the Committee, or in the respect which is due to it.

MR. RITCHIE: After what has fallen from the hon. Member who is the Chairman of the Committee, I am quite prepared to ask the leave of the House to amend the motion in the direction indicated. I understood that a motion would be made leaving it entirely in the hands of the Committee, to adopt whatever course they chose. I am quite prepared to move my motion in the form suggested.

*MR. SPEAKER: I understand that the hon. Member wishes to withdraw his Amendment, and that the motion should be amended by leaving out all the words after "sit" in order to insert "during the sitting of the House."

MR. ELLIOT (Durham): Are we to understand that the Committee will have power to sit on Mondays, Tuesdays, Wednesdays, Thursdays, and Fridays if they choose? I think it is well that the matter should be made plain.

MR. RITCHIE: We are now merely giving a kind of instruction to the Committee that they should consider the propriety of sitting on other days beyond what is usual.

MR. ALEXANDER CROSS (Glasgow, Camlachie): I desire on behalf of a great number of Members to state how much we appreciate the efforts of the President of the Board of Trade to push this matter forward. It is a common-sense arrangement, especially in view of the fact that we are getting to the end of the session.

MR. LABOUCHERE (Northampton): I should like to ask if the President of the Board of Trade has had the approval of the Chairman of the Committee in the motion he has made, because I read in the report of the last meeting of the Committee that, with reference to the suggestion that the Committee should sit longer and more frequently—

"Mr. Ritchie expressed himself as very willing, and even anxious, that this should be done, but, on the Chairman's proposing to ask leave of the House for the Committee to sit till a later hour, the proposition met with strong indications of dissent. The Chairman said that, in view of the pronounced opposition, the thing could not be done."

I think it is a pity that the Chairman of the Committee is not here to explain.

MR. RITCHIE: The hon. Gentleman will be surprised to learn that the Chairman is here and has spoken in this discussion. He stated that he and I had arranged that a motion should be made, though not the particular motion on the Paper.

Amendment, by leave, withdrawn.

Amendment proposed—

"To leave out from the word 'sit,' to the end of the Question, and add the words 'during the sitting of the House.'"—(*Mr. Ritchie.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. COHEN (Islington, E.): I am quite sure this discussion would not have arisen to-day if we had known of the intention of the right hon. Gentleman in the Committee.

Question put, and negatived.

Words added.

Main Question, as amended, put, and agreed to.

Ordered, That, until the conclusion of the Consideration of the Companies Bill, the Standing Committee on Trade, etc., have leave to sit during the Sitting of the House.

AGRICULTURAL HOLDINGS BILL.

As amended (by the Standing Committee), further considered.

*MR. CHANNING (Northamptonshire, E.): The clause I have to move is to provide for compensation to a tenant who is compelled to vacate his holding under circumstances that cannot be described as his own fault. My object is that we should take an important step in what should be the direction of this type of legislation—namely, to give more encouragement and a greater degree of security to farmers who have improved their land and discharged their duties to the landowners, and to discourage farmers who have not carried out that policy and who have deteriorated the land. The clause which I have placed on the Paper has been before the House on previous occasions. It was considered very fully by the Welsh

Land Commission, and I should like to remind hon. Members who have read the Reports of that Commission that both the Majority and Minority Reports express their assent in explicit terms to the precise wording of this clause. I wish to draw attention to that fact because I desire to give as much authority as I can to the form of the proposal. The object of the clause is to deal with certain cases which can be easily enumerated. In the first place we have capricious evictions by landowners. The most familiar cases arise with regard to the use by the tenant of the legislative rights which have been given him under the Ground Game Act. I have a number of cases where farmers have received notice to quit because they have exercised these rights, and the object of the clause is to provide that where a tenant farmer is capriciously evicted the same principle of compensation shall be applied as is applied where a person is deprived of a valuable interest in any other form of real estate. What the clause asserts is that where a tenant is dispossessed of his holding without sufficient reason he shall have an allowance which would cover the loss of his trade connection, goodwill, and other losses of that kind. In addition to these cases of capricious eviction the House will remember that the Welsh Land Commission especially drew attention to the hardship inflicted on tenants on estates where the ownership passed by sale, inheritance, or bankruptcy. Very great hardship occurs under the existing law, because the tenants have to decide practically at once whether they will accept a higher scale of rents and retain their holding, or whether they will submit to a very considerable loss. I should like to quote the evidence of one very able witness before the Agricultural Commission, who, I believe, is a strong supporter of the Government in Northumberland. I refer to Mr. Wilkinson. He said that the tenant has insufficient security and was often compelled to accept an unjust and unreasonable rent rather than leave the farm and suffer loss. He states—

> "I think the tenant should be protected from an arbitrary notice to quit by being allowed compensation for disturbance. We want to be able to deal with our landlords on equal terms, and not for them to be able to say 'Sign that agreement or quit the farm.' We are tired of that sort of thing in the North, and we say that we are entitled to compensation for loss sustained in that way."

Mr. Channing.

The whole clause turns on the fact that the man who puts most into the land is the man who is least protected under the existing law, and the greater a tenant's stake is in the improvements he has carried out the weaker is his position with regard to the whole question of bargaining as to rent. I will not in the least disguise that the main object of the clause is to put the tenant farmer into a position of greater strength in order that he may be able to bargain, with a reasonable chance of success, for a fair rent. This, of course, may be met with the familiar retort that the tenant farmers have been masters of the situation, and have dictated the rents of all the farms in England during the last ten or fifteen years. I absolutely traverse that contention. It is true only of derelict, broken-down, and worthless farms, which go begging in the market, and for which a tenant farmer or anybody else can make any terms they please. But in regard to highly cultivated farms to which men had devoted their capital and energy for years, making the land the bank in which they invested the savings of their lives, the tenants are in a position of great weakness, and they have not been able to transfer the economic loss of the depression from themselves to the landlord. One of the sub-commissioners of the Royal Commission, Mr. Wilson Fox, who cannot be accused of a lack of friendliness to landlords, and was also a man of great ability and fairness of mind, gave us figures of large farms of various types, most of them of high quality, in the county of Lincoln. Those figures showed that the rents of eleven of these farms during the period of depression were between forty and fifty times the net profit obtained by the farmers. I allude to that in order to show that during the period of depression farmers, so far from being able to obtain a reasonable reduction of rent, which would put them in the position of having, as the Income Tax assessment assumes, a profit of half or even a third of the rent, had their profit reduced to a fifth, a seventh, and even a thirtieth or a fiftieth part of the rent. I therefore say that there is no force in the contention that the farmers have been able to dictate their own terms. On the ground of strengthening their position and of enabling them to deal fairly with rent I beg to move this clause, which goes to this effect, that where the farmer is dispossessed, not

through his own fault—I do not wish to protect any farmer who behaves wrongly either as regards rent or covenants—we should have applied the same principle as to allowance, or compensation, which is observed in dispossessing every other class of persons in the land, or in our social arrangements. He is to be compensated for loss of trade interest, business connection, and all the rest of the loss caused by removal.

New clause—

"Where a tenant is compelled to quit his holding by the act of his landlord for any cause other than the following (that is to say):—

(1) That he has not paid the rent due to his landlord within any period agreed by the contract of tenancy or otherwise; or

(2) That he has persisted in committing or permitting waste, to the prejudice of his landlord, by the dilapidation of buildings or fences, or by the deterioration of the soil, after notice from the landlord not to commit, or permit, or to desist from the particular waste specified in such notice;

the tenant shall be entitled on quitting his holding to obtain from the landlord, in addition to the compensation, if any, due to him under the Act, further compensation in respect of the loss sustained by reason of quitting his holding, and any question under this section, if in dispute, and the amount of such compensation shall be determined by arbitration under this Act, and such compensation shall be separately specified in the award, and shall be recoverable under the provisions of this Act."—(*Mr. Channing.*)

—brought up and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

*THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. LONG, Liverpool, West Derby): I hope the House will not read this clause a second time. The hon. Member has told the House that the principle of compensation for disturbance was recommended by the Welsh Land Commission, but he has not told the House that this question was most carefully inquired into by the Royal Commission on which he himself sat, and in the Report issued by that Royal Commission it was stated that while some witnesses had argued in favour of that proposition the whole question had been carefully investigated, and that the Royal Commission were distinctly opposed to the principles of the proposal. Apart from the finding of that Commission, I may say that if ever there was a time when a proposal of that kind could be justified, that time no longer exists. It is possible that in the days of very great agricultural prosperity, and when, no doubt, the opportunities of the tenant for guarding his own interests or for selecting his own position were not so good as now, there were cases of hardship. But I believe that there have been fewer cases of injustice and hardship to a farmer who expends his capital in improvements, than in the history of any other negotiation in the country. It is said that the tenant farmer is capriciously evicted. No doubt there have been such cases and they may arise again; but everybody knows that at the present day the great object of the owner of land is to encourage the tenant farmer to remain in occupation of his holding, and to farm it on the best terms. I do not believe, therefore, that there is any justification for a proposal of this kind. In the first place, as the Bill stands a principle is laid down which can easily be acted upon both by the landlord and the tenant, and which gives to the tenant a right to secure payment for that which he leaves on the land, the benefit of which will be reaped by somebody else. The Bill provides the machinery for that. But if you open up the question of compensation suggested by the hon. Gentleman you will render the task of the arbitrators one of immense difficulty, and present a certain vista of litigation between the landlord and the tenant. It would introduce a principle which would be vexatious to the landlord, of no good to the tenant, and it is one which would deter landlords from entering into arrangements with their tenants which might be beneficial to both. On all grounds, therefore, I hope the House will not accept a proposal of this kind. I quite understand the motive of the hon. Gentleman. He believes that legislation ought to interfere more than at present with the position of landlord and tenant. Some people believe that the relations between landlord and tenant will never be satisfactory until the whole question of rent is decided by some public tribunal, and not, as now, by private arrangement between owner and occupier. The Government, who are responsible for this Bill, have no sympathy with views of that kind. They believe, on the contrary, that the adoption of such views would be prejudicial to the interests of tenants, and result in the absolute ruin of the agricultural interest

as a whole. We are told that poor tenant farmers cannot make bargains which would protect their own interests. I have lived among tenant farmers all my life, and have come in contact with them in all parts of the United Kingdom, and I am inclined to believe that the statement of the incapacity of the farmer to look after his own interests would not be made so readily at an agricultural gathering. The farmers themselves would be the first to show that they were well able to manage their own affairs, and to resent the imputation that they are either very weak or very foolish. I believe that farmers are not likely to be capriciously evicted unless they adopt the principles of the Irish Land Acts about fixity of tenure, free sale, and compensation for disturbance, with all their mischievousness. The only safe policy for the House to adopt is to adhere to the principles embodied in the Bill.

MR. LLOYD MORGAN (Carmarthenshire, W.): When I saw this new clause on the Order Paper I did not entertain any very sanguine hopes that the right hon. Gentleman would accept it; but I cannot help expressing my regret that he has not been able to do so. He has told the House that this clause was not recommended by the Royal Commission on Agriculture. In that the right hon. Gentleman is quite correct; but I think that he is incorrect when he goes on to say that the farming class do not desire to have the proposal contained in this clause. When this Bill becomes an Act of Parliament, there is nothing, I am sure, which will give the tenant farmers of the country more widespread disappointment than the absence of a clause of this kind. I quite appreciate that in several instances agricultural associations in different parts of the country have passed resolutions expressing satisfaction with the proposals of the Government as embodied in this Bill. But I repeat that when the great body of farmers get face to face with the actual accomplishment of the Government, I have not the slightest hesitation in saying that they will be very much disappointed. The expectations held out to them during the course of the last general election were of a very different kind from those embodied in this Bill. I do not think any hon. Gentleman will venture to dispute that. My hon. friend in moving the new clause told the House that a proposal of this kind was very much required in Wales. The recommendations of the Welsh Land Commission, which did not seem to me to be received by the right hon. the President of the Board of Agriculture with the respect which they deserve, contained a proposal that tenants should receive compensation for capricious eviction from their holdings. That was a recommendation not of a mere majority of the members of the Commission, but was arrived at unanimously. Mr. Sebohm, Lord Kenyon, and the hon. Baronet the Member for Swansea, were all agreed that, on the evidence put before the Commission, an unanswerable case had been made out for compensation for capricious eviction. On behalf of my constituents, therefore, I think this clause should be adopted. The President of the Board of Agriculture has told us that this proposal is not required by the farmers of England at all. It may be that that is true. I do not pretend to have a complete knowledge of the farmers of England, but I am entitled to speak with some knowledge of the farmers in my own part of the country, among whom I have lived all my life, and I maintain that nothing is more urgently required by them than that they should have compensation for capricious eviction. There is no suggestion in this clause that a farmer who left his holding on his own account would have any compensation except that which is given by the Agricultural Holdings Act of 1883. All that is proposed is that if the farmer is compulsory evicted he shall be compensated. It is only fair and right that when a man is turned out of his holding at the mere caprice of his landlord, not because he is a bad farmer, not because he is letting his land deteriorate, not because he has allowed his buildings to become dilapidated, but because he has had some petty quarrel with his landlord about the county council election or something that has taken place in the parish, he should receive compensation. The right hon. Gentleman says that such a state of things as that does not arise in England. That may or may not be, although I do not agree with him, because it does arise in Wales—I do not think these cases arise so frequently as they used, but they undoubtedly do arise—and when a man is turned out of his holding in that way he should have some compensation for the trouble and expense to which he is

put, for which this Bill gives no compensation. This is a small Bill, which does not introduce any new feature into the agricultural law, and deals rather with the machinery of the law than with anything else. But if this clause, and it is not a revolutionary clause by any means, be accepted, it will to some extent give the tenant farmer some security of tenure. He would occupy a position of greater stability if his landlord knew that if he gave him notice in a fit of caprice he would have to pay for it. It is not the better class of landlord who gives his tenant notice in a fit of caprice. If this amendment is accepted it will operate to some extent in favour of security of tenure, because if the landlord knew that, if he gave his tenant notice to quit for an insufficient reason, a tenant who had farmed well and carried out all the terms of his agreement, but who had displeased his landlord—if the landlord knew that if he gave that man notice to quit for an insufficient reason he would have to pay, over and above that which the law allows, some compensation for disturbance, it would prevent him from taking such a step. I daresay in some parts of England such legislation is quite unnecessary; but I am speaking for a class of people for whom it is necessary, and the Welsh Land Commission has reported in favour of such legislation. Under these circumstances, if my hon. friend goes to a division, I shall be happy to support him.

MR. JAMES LOWTHER (Kent, Thanet) said, so long as the hon. Member for West Carmarthenshire confined his remarks to the Welsh aspect of this question, it was beyond his right to criticise them. He had not looked at the Celtic side of the matter. From the position taken up by the hon. Gentleman one would imagine that a person had a right to hire another person's land, and that then, in defiance of the owner, he could claim compensation on receiving notice to quit. That was a principle which, so far as he was aware, had never been laid down by any Commission which had ever sat. The representative agricultural bodies of the country had wisely declined to lend themselves to any such revolutionary doctrine. There might be here and there a farmers' club which advocated it, but the great representative agricultural bodies of the country did not. The House would do well to reject the Amendment, and support the proposition that a man has a right to let his farm to anyone he thinks fit, in accordance with the law, and to terminate the tenancy when he thinks fit, in accordance also with the law.

MR. HERBERT ROBERTS (Denbighshire, W.): I will not detain the House more than a few moments, but I should like to point out that the Bill, so far as Wales is concerned, does not go to the root of the evil, and on another occasion it will be the duty of the Welsh Members to lay their views before the House in a different form. With regard to the Bill now before us, I should not like the discussion on this clause to terminate without cordially supporting the Amendment of the hon. Member for East Northamptonshire. With regard to the remarks of the right hon. Member for Thanet, who admitted that he had never dived into the Celtic fringe in this matter, if that be so, we cordially forgive him for the remarks he has made. This sub-clause is the result of recommendations made, after exhaustive inquiries, by the Welsh Land Commission, and the feeling of the country is very strong upon it. I live in a country where the land question looms large, and I have no hesitation in saying that if this clause were passed it would meet with a very large force of public approval, and be the means of amending this Bill, so far as Wales is concerned, in a very substantial manner.

MR. ALEXANDER CROSS (Glasgow, Camlachie) said he was scarcely prepared to give the clause his support if it went to a division, but as a Scotch Member he felt that there were circumstances under which a clause of this description would be to the interest of the tenants. He quite agreed that cases of the kind mentioned by the hon. Member opposite were not so common now as formerly, though there could be no doubt that they did arise even now. The right hon. Member for Thanet seemed to claim a right for the landlords to let land at their pleasure, and then to evict tenants as they pleased, and that this was a Bill to interfere with that which the landlords have a right to do. This clause did not interfere on behalf of the tenant farmer, but in the interests of the nation at large. The Bill provided compensation for improvements;

but the Committee ought to go further if agriculture was to be a prosperous occupation They ought to give to the tenant security of tenure, and if the farmer invested his money on other people's land he ought to know that he was secure from the curious freaks of temper of the landlord, and therefore some equitable arrangement of this kind ought to be made. He supported the broad principle, but was afraid he could not support the Amendment to the extent of voting for it on a division.

*Mr. HERBERT LEWIS (Flint Boroughs): I support the new clause proposed by the hon. Member for East Northamptonshire. If the clause is passed it will be regarded by Welsh farmers as an extremely valuable addition to the Bill. Formerly, when a rich man purchased an estate, he bought not only the land and the buildings upon the land, but in addition to that he bought the consciences—the political consciences, at all events—of the tenants of the soil. We have in the past seen a great deal too much oppression both in religious and political life in consequence of the enormous powers which the landlord possessed, and which, directly or indirectly, he could exercise. That power has seldom been exercised directly, but for every single eviction that has taken place hundreds of people have been terrorised. I am glad to bear my testimony that that state of things has very largely improved in England and Wales in recent years. I should be sorry to say that anything of the kind I have described has been of a general character. What we ask is that the tenants should be placed beyond the reach of fear in this respect, and that a man's politics and religion should have absolutely nothing to do with the tenure or cultivation of the land. If this clause were passed I believe the effect would be that the tenant would feel himself to be what I am sure every hon. Member in this House (except, perhaps, the hon. Member for Thanet) would wish him to be—a really independent man, owning no allegiance to the owner of the soil in regard to religion or politics because of the relationship between them as landlord and tenant. Have I not laid down a fair proposition? Is there any Member of the House who would venture to dispute that? What my hon. friend proposes to do by the clause is to assure to the tenant a position that would put him outside the reach of fear. I hope the Government may see their way to accept this clause, believing that, in Wales at all events, it would be accepted by the tenants as giving them protection to which they are entitled.

Lord HUGH CECIL (Greenwich) said he had to express his pleasure that the Government had been unable to accept the clause, which involved a principle going far beyond the limits of the Bill, and illustrated very well the point at which it was necessary to draw the line. The Amendment introduced the principle of divided ownership. No such principle was recognised in the Bill, at all events he hoped it was not recognised. The principle of the Bill, as he understood it, was that where a tenant added to the value of the landlord's property he should be compensated for that, but the principle of the Amendment was that the tenant should acquire a right in the property, and that he was to come into possession of the landlord's right. It was clear that if they once admitted that principle they would adopt the whole Irish land system. The moment the tenant got in as a partner in the ownership of a farm, then he had a right to sell that farm. The Government would have to come down and settle the relationship between them as regards fair rents, and every detail in the management which was characteristic of the Irish land system. [An Hon. Member: Why not?] He would give an illustration. It had been said that the landlord might use his power vexatiously. Almost all rights of property of any kind whatever might be used vexatiously. The hon. Member for the Flint Boroughs had spoken of intimidation in religious matters, but the same thing might occur in other avocations. A banker or solicitor who had lent money to various small shopkeepers might exercise an improper influence over his debtors. They could not prevent people who had not a free choice from being subject to the influence of others. The essence of freedom was to have a free choice. It should be recognised that this Amendment proceeded wholly on a different principle from that embodied in the Bill. He hoped that they would be careful to maintain on this occasion the great im-

propriety of divided ownership. The true remedy for the grievance was a healthy public opinion. In England intimidation would never be tolerated. They would resent it vigorously, and if English landlords endeavoured to coerce their tenantry, they would speedily find that to be so.

SIR MARK STEWART (Kirkcudbrightshire) said he could not conceive how anybody who understood the agricultural position of the country could have drafted such a clause as this. It was altogether on the wrong lines, as any man of common sense would see. He thought it would be unfair to interfere too much between landlord and tenant. What would be the end of it? The tenant would, no doubt, put before the arbitrator every single point in a long term of tenancy, and all that would lead to lawyers' bills; and if there was one thing that a farmer disliked extremely it was to pay such bills. The tenant would have enormous bills to pay if this clause was carried out, and he would be continually arbitrating with the landlord. He knew very few landlords who would care to put out a tenant who had met his obligations justly and reasonably. If a landlord got his fair share, or what he had invested in the land, they might depend upon it that he would take a lenient view of the whole case, and be willing to judge what should be done with regard to compensation. If this clause was carried they would have no end of litigation and no peace. They would have the Irish land question in England and Scotland. He hoped the House would by a very large majority defeat the Amendment.

MR. JASPER MORE (Shropshire Ludlow) said it was all very well to speak of cases of capricious eviction, but he believed such cases hardly ever occurred.

Question put.

The House divided :—Ayes, 111; Noes, 207. (Division List No. 200.)

AYES.

Allan, William (Gateshead)
Atherley-Jones, L.
Austin, Sir John (Yorkshire)
Baker, Sir John
Barlow, John Emmott
Billson, Alfred
Birrell, Augustine
Bramsdon, Thomas Arthur
Broadhurst, Henry
Buchanan, Thomas Ryburn
Caldwell, James
Cameron, Robert (Durham)
Causton, Richard Knight
Cawley, Frederick
Courtney, Rt. Hon. Leonard H.
Crilly, Daniel
Crombie, John William
Curran, Thomas (Sligo, S.)
Dalziel, James Henry
Davies, M Vaughan-(Cardigan)
Dilke, Rt. Hon. Sir Charles
Dillon, John
Donelan, Captain A.
Doogan, P. C.
Dunn, Sir William
Emmott, Alfred
Esmonde, Sir Thomas
Evans, Sir F. H. (Southampton
Farquharson, Dr. Robert
Flavin, Michael Joseph
Flynn, James Christopher
Gladstone, Rt. Hn. Herbert J.
Goddard, Daniel Ford
Gold, Charles
Hayne, Rt. Hn. Charles Seale-
Hedderwick, Thomas Chas. H.
Hemphill, Rt. Hon. Charles H.
Holland, William Henry
Horniman, Frederick John
Hutton, Alfred E. (Morley)
Jones, W. (Carnarvonshire)
Kitson, Sir James
Labouchere, Henry
Langley, Batty
Lawson, Sir W. (Cumberland)
Leese, Sir J. F. (Accrington)
Leng, Sir John
Lewis, John Herbert
Lloyd-George, David
Lough, Thomas
Luttrell, Hugh Fownes
Macaleese, Daniel
MacDonnell, Dr. MA (Queen'sC
MacNeill, John Gordon Swift
M'Arthur, William (Cornwall)
M'Crae, George
M'Ewan, William
M'Ghee, Richard
M'Laren, Charles Benjamin
M'Leod, John
Maddison, Fred.
Mappin, Sir Frederick Thorpe
Mendl, Sigismund Ferdinand
Morgan, W. P. (Merthyr)
Moulton, John Fletcher
Norton, Capt. Cecil William
O'Brien, Patrick (Kilkenny)
O'Connor, Arthur (Donegal)
O'Connor, T. P. (Liverpool)
Oldroyd, Mark
O'Malley, William
Palmer, George W. (Reading)
Pease, Joseph A. (Northumb.)
Pickard, Benjamin
Pickersgill, Edward Hare
Price, Robert John
Reckitt, Harold James
Richardson, J. (Durham, S.E.)
Roberts, John H. (Denbighs.)
Samuel, J. (Stockton-on-Tees)
Scott, Chas. Prestwich (Leigh
Shaw, Charles E. (Stafford)
Sinclair, Capt. John (Forfarsh.
Smith, Samuel (Flint)
Soames, Arthur Wellesley
Spicer, Albert
Stanhope, Hon. Philip J.
Stevenson, Francis S.
Sullivan, Donal (Westmeath)
Sullivan, T. D. (Donegal, W.)
Tennant, Harold John
Thomas, Alfred (Glamorgan, E.
Trevelyan, Charles Philips
Wallace, Robert
Walton, John Lawson (Leeds, S.
Walton, Joseph (Barnsley)
Wason, Eugene
Wedderburn, Sir William
Weir, James Galloway
Whiteley, George (Stockport
Whittaker, Thomas Palmer
Williams, John Carvell (Notts.
Wills, Sir William Henry
Wilson, Charles Henry (Hull)
Wilson, Fredk. W. (Norfolk)
Wilson, Henry J. (York, W.R.)
Wilson, John (Durham, Mid)
Wilson, John (Govan)
Woods, Samuel
Young, Samuel (Cavan, East)
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Channing and Mr. Lloyd Morgan.

NOES.

Acland-Hood, Capt. Sir A. F.
Anson, Sir William Reynell
Arrol, Sir William
Atkinson, Rt. Hon. John
Bailey, James (Walworth)
Baird, John George Alexander
Balfour, Rt. Hn. A. J. (Manch'r)
Balfour, Rt Hn Gerald W (Leeds
Banbury, Frederick George
Barry, Sir Francis T. (Windsor)
Bartley, George C. T.
Beach, Rt. Hn. Sir M. H. (Bristol
Bemrose, Sir Henry Howe
Bethell, Commander
Bhownaggree, Sir M. M.
Biddulph, Michael
Bill, Charles
Blakiston-Houston, John
Bond, Edward
Boscawen, Arthur Griffith-
Boulnois, Edmund
Bowles, Capt. H. F. (Middlesex)
Bowles, T. Gibson (King's Lynn
Brassey, Albert
Brodrick, Rt. Hon. St. John
Bullard, Sir Harry
Campbell, Rt. Hon J A (Glasgow
Carson, Rt. Hon. Sir Edw. H.
Cavendish, R. F. (N. Lancs.)
Cavendish, V. C. W. (Derbyshire
Cayzer, Sir Charles William
Cecil, Evelyn (Hertford, East)
Cecil, Lord Hugh (Greenwich)
Chamberlain, Rt. Hon. J (Birm.
Chamberlain, J. A. (Worc'r)
Chaplin, Rt. Hon. Henry
Chelsea, Viscount
Coddington, Sir William
Coghill, Douglas Harry
Collings, Rt. Hon. Jesse
Cornwallis, Fiennes Stanley W.
Cox, Irwin E. Bainbridge
Cripps, Charles Alfred
Cross, Alexander (Glasgow)
Cross, Herb. Shepherd (Bolton)
Cubitt, Hon. Henry
Curzon, Viscount
Dalkeith, Earl of
Dalrymple, Sir Charles
Davies, Sir Hor. D. (Chatham)
Denny, Colonel
Digby, John K. D. Wingfield-
Dixon-Hartland, Sir F. Dixon
Donkin, Richard Sim
Dorington, Sir John Edward
Douglas, Rt. Hon. A. Akers-
Doxford, Sir William Theodore
Dyke, Rt. Hon Sir William Hart
Egerton, Hon. A. de Tatton
Elliot, Hon. A. Ralph Douglas
Faber, George Denison
Fardell, Sir T. George
Fellowes, Hon. Ailwyn Edw.
Fergusson, Rt Hn Sir J. (Manc'r)
Field, Admiral (Eastbourne)
Finch, George H.
Finlay, Sir Robert Bannatyne
Fisher, William Hayes
Fitz Wygram, General Sir F.
Flannery, Sir Fortescue
Flower, Ernest
Foster, Colonel (Lancaster)
Fry, Lewis
Galloway, William Johnson
Garfit, William
Gedge, Sydney
Gibbs, Hn. A. G. H. (Cy of Lond.
Gibbs, Hn. Vicary (St. Albans)
Gilliat, John Saunders
Godson, Sir Augustus Fred.
Gordon, Hon. John Edward
Gorst, Rt. Hon. Sir John Eldon
Goulding, Edward Alfred
Greene, Henry D. (Shrewsbury)
Gull, Sir Cameron
Gunter, Colonel
Halsey, Thomas Frederick
Hamilton, Rt. Hon. Lord George
Hanbury, Rt. Hon. Robert W.
Hanson, Sir Reginald
Hardy, Laurence
Hatch, Ernest Frederick Geo.
Hoare, Edw Brodie (Hampstead
Hoare, Sir Samuel (Norwich)
Hobhouse, Henry
Hornby, Sir William Henry
Hozier, Hon James Henry Cecil
Hudson, George Bickersteth
Hutchinson, Capt. G. W. Grice-
Hutton, John (Yorks, N. R.)
Jeffreys, Arthur Frederick
Johnson-Ferguson, Jabez E.
Johnstone, Heywood (Sussex)
Kenyon-Slaney, Col. William
Kimber, Henry
Knowles, Lees
Laurie, Lieut.-General
Lawrence, Sir E, Durning-(Corn
Lawson, John Grant (Yorks.)
Lecky, Rt. Hn. William Edw. H.
Leighton, Stanley
Loder, Gerald Walter Erskine
Long, Col. Chas. W. (Evesham)
Long, Rt. Hn Walter (Liverpool
Lopes, Henry Yarde Buller
Lowe, Francis William
Lowther, Rt. Hon. James (Kent)
Loyd, Archie Kirkman
Lucas-Shadwell, William
Lyttelton, Hon. Alfred
Macartney, W. G. Ellison
Macdona, John Cumming
Maclure, Sir John William
M'Iver, Sir L. (Edinburgh, W.)
M'Killop, James
Malcolm, Ian
Manners, Lord Edward Wm. J.
Maple, Sir John Blundell
Marks, Henry Hananel
Martin, Richard Biddulph
Milbank, Sir Powlett Chas. J.
Milward, Colonel Victor
Monckton, Edward Philip
Monk, Charles James
Moore, William (Antrim, N.)
More, Robt. Jasper (Shropshire)
Morgan, Hn. Fred. (Monm'thsh.
Morrell, George Herbert
Morrison, Walter
Morton, A. H. A. (Deptford)
Mount, William George
Muntz, Philip A.
Murray, Rt Hn A Graham (Bute
Murray, Charles J. (Coventry)
Myers, William Henry
Newdigate Francis Alexander
Nicholson, William Graham
Nicol, Donald Ninian
Nussey, Thomas Willans
Parkes, Ebenezer
Paulton, James Mellor
Pease, H. Pike (Darlington)
Percy, Earl
Pilkington, R. (Lancs., Newton)
Platt-Higgins, Frederick
Pollock, Harry Frederick
Powell, Sir Francis Sharp
Pretyman, Ernest George
Pryce-Jones, Lt.-Col. Edw.
Pym, C. Guy
Rankin, Sir James
Remnant, James Farquharson
Richards, Henry Charles
Ridley, Rt. Hn. Sir Matthew W.
Ritchie, Rt. Hn. Chas. Thomson
Rothschild, Hon. Lionel W.
Round, James
Russell, Gen. F. S. (Cheltenham
Russell, T. W. (Tyrone)
Samuel, Harry S. (Limehouse)
Sandon, Viscount
Sassoon, Sir Edward Albert
Seton-Karr, Henry
Sharpe, William Edward T.
Shaw-Stewart, M. H. (Renfrew
Sidebotham, J. W. (Cheshire)
Sidebottom, William (Derbysh.
Simeon, Sir Barrington
Smith, Abel H. (Christchurch)
Smith, Jas. Parker (Lanarks.)
Smith, Hon. W. F. D. (Strand
Stanley, Hon. A. (Ormskirk
Stanley, Edw. Jas. (Somerset)
Stanley, Sir H. M. (Lambeth)
Stewart, Sir M. J. M'Taggart
Stone, Sir Benjamin
Strauss, Arthur
Sturt, Hon. Humphry Napier
Thornton, Percy M.
Tollemache, Henry James
Tomlinson, Wm. Edw. Murray
Tritton, Charles Ernest
Warr, Augustus Frederick
Welby, Lt-Col A. C. E. (Taunt'n
Welby, Sir Chas. G. E. (Notts
Whiteley, H. (Ashton-under-L.
Williams, Colonel R. (Dorset)
Williams, J. Powell- (Birm.)
Willoughby de Eresby, Lord
Willox, Sir John Archibald
Wilson, John (Falkirk)
Wilson, J. W. (Worcestersh. N.
Wilson-Todd, Wm. H. (Yorks)
Wortley, Rt. Hon. C. B. Stuart-
Wylie, Alexander
Wyndham, George
Wyvill, Marmaduke D'Arcy

TELLERS FOR THE NOES—Sir William Walrond and Mr. Anstruther.

*MR. GORDON: (Elgin and Nairn): In moving the new clause which stands under my name I desire very shortly to explain to the House the purposes this

clause has in view. Among the agricultural tenants of Scotland by far the largest proportion are men whose buildings have been erected by the capitalists who own the property, the tenants themselves having no interest in and making no claim for the buildings. There are a second class, well known to this House, namely, crofters, in the Highland districts of Scotland, whose interests in their holdings have been regulated by the Crofters Acts. What I want to bring to the attention of the right hon. Gentleman in charge of this Bill and of the House is that there is a third class, not a very numerous class in Scotland as a whole, though somewhat numerous in my own constituency. This class stand in a different relation, and under this Bill I cannot see that they will receive any protection whatever. The Government, no doubt desire to cover every agriculturalist, whether he is large or small in his occupation; whether protected by legal documents or trusting to the feudal estates and the customs of those estates, and I would ask the right hon. Gentleman to look with favour upon such a clause as this. I would not seek his approval of the words if I could secure his approval of the principle, so that this class of men who are crofters, but not in the crofting districts, should, in case of removal, have the power of coming into the benefits of this measure, and at least have the opportunity of proving before the tribunal created under this Bill whether or not the improvements on their farms are of their own creation; so that, as I believe they have in morals, they may also have in law, a protection for their property in these matters. In my own constituency cases arise rather under estate management. Many of the estates erect buildings from A to Z, but there are other estates where the buildings are left to the creation of the crofter himself, and very often they have been erected by previous generations. Whilst I would pay every tribute of regard to the management of these large estates and the sanctity of contract maintained between proprietor and crofter, in nearly every case the danger becomes almost alarming when these old estates pass into the hands of new men, or under the management of lawyers, who take a sharper, harsher, and more strictly legal point of view. All I ask is that this Bill shall not pass through the House without allowing these men, who are undoubtedly the creators of their own improvements, and whose position is now respected on the estates where they live, should not suffer the danger in strange hands of being unprotected by the law while the law is in process of amendment. No claim is made by the man on whose behalf I am now speaking for any compensation for anything created by the capital of the proprietor. All he asks is that property of his own creation, whether it is in the reclamation of land or in the building of houses, should become matter for investigation before the tribunal created by this Bill. It is easy to see that in an old-fashioned arrangement, such as the one I have described, there might be claims put forward by the landlord which would to some extent nullify the claims of the tenant for his improvements. I beg to move the Amendment standing in my name.

New clause—

"That in the case of crofters or cottars in Scotland, as defined in the Crofters (Scotland) Holdings Acts, 1886, 1887, and 1888 (whose holdings are situated in parishes or counties to which these Acts do not apply), such improvements as are set forth in Part 1 of the First Schedule of the Act, which may have been executed or paid for by the crofter or his predecessor in the same family whilst under no written obligation to the landlord to make them, and prior to the passing of this Act, and which will add to the letting value of the holding, shall be compensated for on his leaving the holding, under the procedure provided in this Act, but for such improvements executed after the passing of this Act consent of the landlord will be required."—(*Mr. Gordon.*)

—brought up, and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

*MR. LONG: I hope my hon. friend will not press this clause, because it seems to be moved under a misapprehension. The object he seeks is to include within the benefits of this Bill those crofters or cottars in Scotland who do not come under the Crofters Act, which is limited to particular counties, to which benefits have been given on account of particular circumstances. My hon. friend suggests in the case of these crofters that they shall be treated as if they had obtained consent, and that only in future shall they require to obtain consent. I am not in the position to speak of tenants in a similar position to crofters, though they

are not under the Crofters Act. It may be true that there are individual cases of hardship, but it would be impossible to apply this measure to a limited portion of the kingdom. Not only this, but it would be extremely unfair to attempt to do anything of the kind. I submit that the proper course for my hon. friend to take is not to seek to graft on to this Bill a proposal dealing with these people, but endeavour to bring the crofters for whom he pleads under the Crofters' Holdings Acts.

MR. BUCHANAN (Aberdeenshire, E.): The right hon. Gentleman has, I am sorry to say, given but small encouragement to my hon. friend in regard to the clause he has laid before the House. The two main arguments of the right hon. Gentleman have been (1) that my hon. friend's clause merely dealt with a few individual cases in Scotland—with regard to which argument I shall have a word or two to say in a moment; and (2) he contended that the Government could not be expected to deal with cases of special hardship. If any Government come before this House and lay on the Table a Bill which is to alter the condition of agricultural tenancies, they ought to endeavour to meet all special cases of hardship as well as all general cases. This Bill, as it stands, endeavours to meet a hardship analogous to that of the crofters in the case of the market gardeners, who are provided for in the schedule.

*MR. LONG: That is not so, and I do not profess in this Bill to legislate in any way whatever for market gardeners.

MR. BUCHANAN: All I contend is that the special case of market gardeners is recognised, and I make a similar claim on behalf of these small tenants. I was somewhat astonished at the last statement of the right hon. Gentleman when he told the hon. Member opposite to try and get these tenants included in the Crofters Act. Does he mean that statement to be taken literally?

*MR. LONG: I guarded my remarks by saying that I had no personal knowledge as to whether those crofters had a claim for legislation, and I submitted that it would not be proper in this Bill to propose crofter legislation.

Mr. Long.

MR. BUCHANAN: The right hon. Gentleman suggested that we should try and get the Crofters Act extended to these particular tenants. The President of the Board of Agriculture should not hold out that as an inducement to the hon. Member not to press forward his Amendment, unless he is prepared to assist him in obtaining the remedy he seeks. But is this really a small grievance to which my hon. friend has called attention? Why does the right hon. Gentleman bring forward a Bill which includes Scotland, where the conditions are different to those prevailing in England, when he himself admits that he is unaware of the condition of the tenants in Scotland? What is the condition of affairs in the north-east of Scotland? Here is a Return which is ten years old, which shows that in Morayshire there were 1,762 farms, and of these 1,107 were under £30 annual value, £35 being the limit allowed by the Crofters Act. Under this Act these tenants would have a substantial grievance to all intents and purposes. They have made all the improvements in those farms, but they will receive no compensation under this Bill. In another county, out of 3,000 farms, no less than 2,114 are under £35 annual value. In Aberdeenshire the proportion is not quite so large, but out of 11,300 holdings no less than 6,053 are crofts under £30 annual value, and upon the vast majority of these crofts the tenants have made all the improvements. They have brought the land into cultivation, erected fences, and built dwellings upon them without obtaining the written consent of the landlord to construct them. What is the condition of things under the Bill? The measure provides that no tenant shall obtain compensation for building substantial improvements unless he has obtained the consent of his landlord to the making those improvements. That proviso absolutely shuts out two-thirds of the tenants in the north-east of Scotland from any possible benefit under the Bill. I think that is a very glaring omission in a Bill which purports to provide a remedy for the tenants of Scotland as well as for the tenants of England. I say that this particular class of tenant has a prerogative claim upon the attention of Her Majesty's Government in dealing with this subject. Five years ago, in the year

1895, when a Liberal Government was in office, they brought forward a Bill in which it was proposed, amongst other things, to extend the benefits of the Crofters Act to crofters in the north-eastern counties of Scotland. That measure was opposed by the present First Lord of the Treasury from the Front Opposition Bench, and when we urged that what was particularly wanted was an easy and cheap method of giving tenants compensation for improvements, what was the answer given by the then Leader of the Opposition? In reply to our argument as to why the Crofters Act should be extended, the present First Lord of the Treasury said on the 11th of June, 1895—*

"In my opinion small tenants have an absolute right to be protected, but they have no greater right than the big tenants, and therefore the right ought not to be confined to one or two counties in the north-east of Scotland. I should like to see that protection extended in a safe and fair form to all counties, in all cases in which expenditure by the tenant has taken the form of a legitimate improvement of the holding of which he is the occupier."

That was a substantial promise that when the Government of which he was a Member came to legislate upon this subject he would endeavour to deal when legislating with all the three countries and with all the cases in them. In excluding these tenants from the possibility of claiming compensation for the substantial improvements they have effected on their farms, the Government are failing to carry out the policy which they held out to the people of Scotland, and they have presented to this House a very imperfect and inadequate measure.

GENERAL RUSSELL (Cheltenham) said it did not follow that because a tenant was paying under £30 a year that he was a crofter. Most of the tenants in the north-east of Scotland, to whom the hon. Member had referred, were not crofters, but small farmers, and most of the buildings on their land were built not by the tenants, but by the landlords. Upon farms of £30 rental the walls were built by the landlord and the drainage was generally carried out by the landlord. Therefore he could not imagine anything more detrimental to small farmers in Aberdeenshire and Morayshire than to bring them under the Crofters Act when they were not crofters at all. Such a proposal would prevent any farm servant from taking a small farm on his own account. The great ambition of farm servants was to save up sufficient money to take a small farm and be independent. If the suggestion made by the Member for East Aberdeenshire was adopted, not only would everything which the landlord had erected on these farms be confiscated and handed over to the tenant, but it would prevent any industrious farm servant from the possibility of getting a small farm. Not only this, but it would act as an inducement to the landlord not to carry out any improvements upon these small farms. It would also be ruinous to the farmers themselves. It was true that there were a large number of tenants who had improved their farms and had erected the whole of their farm buildings, but in such a case when the farmer gave up his farm the incoming tenant had to pay for all those buildings.

DR. FARQUHARSON (Aberdeenshire, W.) thought that the speech of the President of the Board of Agriculture was undoubtedly the best defence they could have of the action they took upon the Second Reading of this measure, in regard to having separate Bills for England and Scotland. The right hon. Gentleman had told them, with a simplicity that was remarkable, that he had had no experience in regard to the tenants of Scotland, but still, he might have consulted the Lord Advocate. He hoped that his hon. friend would press his Amendment to a division. The right hon. Gentleman had told him that he must not graft this legislation on the Bill before the House, but that he must take some future opportunity of bringing in special legislation on this question. Therefore the right hon. Gentleman had given them encouragement to bring forward a Bill in the future for extending the Crofters Act, and perhaps he would throw in his influence to get the Government to back up the First Lord of the Treasury in those strenuous endeavours which he had several times promised to make on behalf of this meritorious class of people. He was bound to say that he thought his hon. friend had made out a strong case on behalf of a certain class of people. There were cases in Aberdeenshire where tenants had carried out their own im-

* See *The Parliamentary Debates* [Fourth Series], Vol. xxxiv., p. 912.

provements largely under the protection, so called, of improving leases. That was a very doubtful and shadowy protection, which might be terminated or destroyed by the conditions which had been so well described by his hon. friend. Perhaps when the Minister for Agriculture had had time to consult the Lord Advocate he would agree that this was a very reasonable concession to make, this slight alteration in the Bill. He hoped the right hon. Gentleman would assure them that if they brought in legislation to meet this crying evil he would give them his assistance in getting the Crofters Act extended.

SIR WILLIAM WEDDERBURN (Banffshire) said the Amendment appeared to be a very small and moderate concession. It was simply a request that the small holders should be relieved of the penalty for not having obtained the consent of the landlords in carrying out the small improvements which they had made. The hon. and gallant Member for Cheltenham appeared to think that the rights of the landlords would be invaded by this proposal, and that they would be called upon to pay for their own improvements. As a matter of fact, in the case of the small holders which had been so clearly set forth by the hon. Member for East Aberdeenshire it was almost impossible that any of the improvements which they carried out would have obtained the consent of the landlords. None of those permanent improvements carried out by the small holders who formed so very large a portion of the cultivators of the soil in Scotland would receive any benefit from the Act. Indeed, so difficult is their position and so impossible is it for them to get the previous consent of the landlord for their small improvements, that the hon. Member who moved this Amendment had provided at the end of the clause that the consent of the landlord would be necessary as regarded future improvements.

*MR. WEIR (Ross and Cromarty) expressed his surprise at the ignorance admitted by the right hon. Gentleman in charge of the Bill in regard to Scotch tenants. He had told them that he knew nothing about these cases in Scotland. He contended that he ought to know about them, and that he should have made it his business to inquire before he brought in legislation for Scotland. The Lord Advocate knew all about his own constituency in Bute and Arran, that dark island where there was no security for the tenant, and where the tenants from year to year were liable to be turned out at very short notice without any compensation. The Lord Advocate would not be able to deny that.

*THE LORD ADVOCATE (Mr. A. GRAHAM MURRAY, Buteshire): But I do deny it. I may inform the hon. Member that there are scarcely any tenants there who have not got leases to protect them.

*MR. WEIR replied that there had evidently been an alteration since he was there. From the manner in which the hon. and gallant Member for Cheltenham had spoken one would suppose that he owned the whole of Cheltenham. Probably the hon. and gallant Member was a good landlord, but there were a number of very bad landlords in the north of Scotland, and their existence necessitated the passing of the Crofters Act. The hon. Gentleman who moved this clause only asked for the crofters of the north-east of Scotland similar treatment to those in the west. The holder on the east coast of Scotland had cultivated the land from its wild state; they had built their own houses, erected fences, and brought the land into cultivation, and yet they were liable to be turned out at the shortest notice without any compensation. That was the state of matters existing in the east of Scotland, and the First Lord of the Treasury had practically promised to bring forward some legislation upon this question. The Lord Advocate stated that the Government had not been asked to extend the Crofters Acts to other parts of Scotland where the people were living in precisely the same condition.

GENERAL RUSSELL: The conditions are entirely different. I have property in these districts, and know the condition of the people.

*MR. WEIR said he did not dispute the fact that the hon. and gallant Gentleman had property in Scotland, but he maintained that there were thousands of crofters living under entirely similar con-

ditions to those in the crofter districts, and that it was the duty of the Government to extend the Crofters Acts to them. It was not decent for the right hon. Gentleman in charge of the Bill to show so much ignorance in the matter, and he hoped that his hon. friend would divide the House. They would then be able to see who were for and who were against the people.

MR. ALEXANDER CROSS: May I make an appeal to the President of the Board of Agriculture? I had not the advantage of hearing the speech of my right hon. friend, but if he is correctly represented as stating that small holders in one part of Scotland live under materially different conditions from small holders in another part, I can only state that I am of a different opinion. The conditions are very much the same, and there is in the minds of those persons who are not within the scope of the Crofters Acts a feeling that they have been unfairly excluded because of a geographical distinction. I do not know whether this would be a suitable occasion to remedy this grievance, but I put it to my right hon. friend that this is a reasonable proposition. What is proposed is that if a crofter executes improvements which add to the letting value of his holding he should receive compensation even though the landlord has not given his consent. All the arguments we have heard with regard to this Bill are to the effect that it is intended to put right and redress the wrongs of agriculturists, and on such an occasion we should not pass by any section, however small, of the community. Is it fair that the claim of these small holders, whose improvements have added to the value of their holdings, should not receive our attention? If it be just and right my right hon. friend ought to face it, and I must hear some stronger argument as to why this clause should not be accepted before I will vote against it.

Question put.

The House divided:—Ayes, 123; Noes, 196. (Division List No. 201.)

AYES.

Asquith, Rt. Hon. H. Henry
Atherley-Jones, L.
Austin, Sir John (Yorkshire)
Austin, M. (Limerick, W.)
Barlow, John Emmott
Beaumont, Wentworth C. B.
Billson, Alfred
Birrell, Augustine
Bramsdon, Thomas Arthur
Broadhurst, Henry
Bryce, Rt. Hon. James
Caldwell, James
Cameron, Robert (Durham)
Campbell-Bannerman, Sir H.
Causton, Richard Knight
Cawley, Frederick
Channing, Francis Allston
Courtney, Rt. Hon. Leonard H.
Crilly, Daniel
Cross, Alexander (Glasgow)
Curran, Thomas B. (Donegal)
Curran, Thomas (Sligo, S.)
Dalziel, James Henry
Davies, M. Vaughan-(Cardigan
Denny, Colonel
Dilke, Rt. Hon. Sir Charles
Dillon, John
Donelan, Captain A.
Doogan, P. C.
Dunn, Sir William
Emmott, Alfred
Farquharson, Dr. Robert
Fitzmaurice, Lord Edmond
Flavin, Michael Joseph
Flynn, James Christopher
Gladstone, Rt Hn Herbert John
Goddard, Daniel Ford
Grey, Sir Edward (Berwick)
Haldane, Richard Burdon
Hayne, Rt. Hon. Chas. Seale-
Hedderwick, Thos. Charles H.
Hemphill, Rt. Hon. Chas. H.
Hogan, James Francis
Holland, William Henry
Horniman, Frederick John
Johnson-Ferguson, Jabez E.
Jones, Wm. (Carnarvonshire)
Kearley, Hudson E.
Kitson, Sir James
Langley, Batty
Lawson, Sir W. (Cumberland)
Leese, Sir J. F. (Accrington)
Leng, Sir John
Lewis, John Herbert
Lloyd-George, David
Lough, Thomas
Luttrell, Hugh Fownes
Macaleese, Daniel
MacDonnell, Dr. M. A (Qn.'s Co.
MacNeill, John Gordon Swift
M'Arthur, William (Cornwall
M'Crae, George
M'Dermott, Patrick
M'Ewan, William
M'Ghee, Richard
M'Laren, Charles Benjamin
M'Leod, John
Maddison, Fred.
Mappin, Sir Frederick Thorpe
Mendl, Sigismund Ferdinand
Moore, William (Antrim, N.)
Morgan, J. Lloyd (Carmarthen)
Morgan, W. P. (Merthyr)
Moulton, John Fletcher
Norton, Capt. Cecil William
O'Brien, Patrick (Kilkenny)
O'Connor, Arthur (Donegal)
O'Connor, T. P. (Liverpool)
Oldroyd, Mark
O'Malley, William
Palmer, George Wm. (Reading)
Paulton, James Mellor
Pearson, Sir Weetman D.
Pease, Joseph A. (Northumb.
Philipps, John Wynford
Pickard, Benjamin
Pickersgill, Edward Hare
Price, Robert John
Reckitt, Harold James
Richardson, J. (Durham, S.E.)
Roberts, John H. (Denbighs).
Runciman, Walter
Samuel, J. (Stockton-on-Tees)
Scott, Chas. Prestwich (Leigh)
Shaw, Chas. Edw. (Stafford)
Sinclair, Capt John (Forfarshire
Smith, Samuel (Flint)
Soames, Arthur Wellesley
Spicer, Albert
Stanhope, Hon. Philip J.
Strachey, Edward
Sullivan, Donal (Westmeath)
Tennant, Harold John
Thomas, Alfred (Glamorgan, E.
Trevelyan, Charles Philips
Wallace, Robert
Walton, John Lawson (Leeds, S.
Walton, Joseph (Barnsley)
Wason, Eugene
Wedderburn, Sir William
Weir, James Galloway
Whittaker, Thomas Palmer
Williams, John Carvell (Notts.)
Wills, Sir William Henry

Wilson, Charles Henry (Hull)
Wilson, Henry J. (York, W.R.
Wilson, John (Durham, Mid)
Wilson, John (Govan)
Woodhouse, Sir J T (Hudd'rsfld)
Woods, Samuel
Wylie, Alexander
Young, Samuel (Cavan, East)
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Gordon and Mr. Buchanan.

NOES.

Acland-Hood, Capt. Sir Alex. F.
Aird, John
Anson, Sir William Reynell
Arrol, Sir William
Atkinson, Right Hon. John
Bailey, James (Walworth)
Baird, John George Alexander
Balfour, Rt. Hn. A. J. (Manch'r)
Balfour, Rt. Hn. G. W. (Leeds)
Banbury, Frederick George
Barry, Sir Francis T. (Windsor)
Bartley, George C. T.
Beach, Rt. Hn. Sir M. H. (Bristol)
Beach, Rt. Hon. W. W. B (Hants.
Bemrose, Sir Henry Howe
Bethell, Commander
Biddulph, Michael
Bill, Charles
Blakiston-Houston, John
Bond, Edward
Boscawen, Arthur Griffith-
Boulnois, Edmund
Bowles, Capt. H. F. (Middlesex)
Bowles, T. Gibson (King's Lynn
Brassey, Albert
Brodrick, Rt. Hon. St. John
Bullard, Sir Harry
Butcher, John George
Campbell, Rt. Hn. J A (Glasgow
Carson, Rt. Hn. Sir Edw. H.
Cavendish, R. F. (N. Lancs.)
Cavendish, V. C. W. (Derbysh'e
Cecil, Evelyn (Hertford, East)
Cecil, Lord Hugh (Greenwich)
Chamberlain, Rt. Hn. J. (Birm.)
Chamberlain, J. Austen (Worc'r
Chaplin, Rt. Hon. Henry
Chelsea, Viscount
Clare, Octavius Leigh
Coddington, Sir William
Coghill, Douglas Harry
Collings, Rt. Hon. Jesse
Corbett, A. Cameron (Glasgow)
Cornwallis, Fiennes Stanley W.
Cox, Irwin Edward Bainbridge
Cripps, Charles Alfred
Cross, Herb. Shepherd (Bolton
Cubitt, Hon. Henry
Curzon, Viscount
Dalkeith, Earl of
Dalrymple, Sir Charles
Davies, Sir Horatio D (Chatham
Dickinson, Robert Edmond
Digby, John K. D. Wingfield-
Dixon-Hartland, Sir Fred. D.
Donkin, Richard Sim
Dorington, Sir John Edward
Douglas, Rt. Hon. A. Akers-
Doxford, Sir Wm. Theodore
Dyke, Rt. Hn. Sir Wm. Hart
Egerton, Hon. A. de Tatton
Elliot, Hon. A. Ralph Douglas
Faber, George Denison
Fardell, Sir T. George
Fellowes, Hn. Ailwyn Edward
Fergusson, Rt Hn. Sir J. (Manc'r
Field, Admiral (Eastbourne)
Finch, George H.
Finlay, Sir Robert Bannatyne
Fisher, William Hayes
FitzGerald, Sir Robert Penrose-
Fitz Wygram, General Sir F.
Flannery, Sir Fortescue
Foster, Colonel (Lancaaster)
Fry, Lewis
Galloway, William Johnson
Garfit, William
Gedge, Sydney
Gibbs, Hn. A. G. H (City of Lond.
Gibbs, Hon. Vicary (St. Albans)
Gilliat, John Saunders
Godson, Sir Augustus Frederick
Gorst, Rt. Hon. Sir J. Eldon
Goschen, George J. (Sussex)
Goulding, Edward Alfred
Gray, Ernest (West Ham)
Gull, Sir Cameron
Gunter, Colonel
Halsey, Thomas Frederick
Hamilton, Rt. Hn. Lord Geo.
Hanbury, Rt. Hon. Robert Wm.
Hardy, Laurence
Hatch, Ernest Frederick Geo.
Henderson, Alexander
Hoare, Edw. Brodie (Hampste'd
Hoare, Sir Samuel (Norwich)
Houldsworth, Sir Wm. Henry
Hozier, Hon. J. Henry Cecil
Hudson, George Bickersteth
Hutchinson, Capt. G. W. Grice-
Jeffreys, Arthur Frederick
Johnstone, Heywood (Sussex)
Kenyon-Slaney, Col. William
Keswick, William
King, Sir Henry Seymour
Knowles, Lees
Laurie, Lieut.-General
Lawrence, Sir E Durning- (C'rn.
Lawson, John Grant (Yorks.)
Lecky, Rt. Hn. William Edw. H
Llewelyn, Sir Dillwyn- (Swans.
Lockwood, Lt.-Col. A. R.
Loder, Gerald Walter Erskine
Long, Col. Charles W (Evesham
Long, Rt. Hn Walter (Liverpool
Lopes, Henry Yarde Buller
Lowe, Francis William
Lowles, John
Loyd, Archie Kirkman
Lucas-Shadwell, William
Lyttelton, Hon. Alfred
Macartney, W. G. Ellison
Maclure, Sir John William
M'Killop, James
Malcolm, Ian
Martin, Richard Biddulph
Milbank, Sir Powlett Chas. J.
Milner, Sir Frederick George
Milward, Colonel Victor
Monckton, Edward Philip
Monk, Charles James
Moon, Edward Robert Pacy
More, R. Jasper (Shropshire)
Morgan, Hn. Fred (Monm'thsh.
Morrell, George Herbert
Morrison, Walter
Morton, A. H. A. (Deptford)
Mount, William George
Muntz, Philip A.
Murray, Rt. Hon. A. G. (Bute
Parkes, Ebenezer
Pease, Herbert P. (Darlington
Percy, Earl
Pilkington, R. (Lancs, Newton
Powell, Sir Francis Sharp
Pretyman, Ernest George
Pryce-Jones, Lt.-Col. Edward
Purvis, Robert
Pym, C. Guy
Quilter, Sir Cuthbert
Rankin, Sir James
Remnant, James Farquharson
Richards, Henry Charles
Ridley, Rt. Hn. Sir Matthew W.
Ritchie, Rt. Hon. C. Thomson
Round, James
Russell, Gen. F. S. (Cheltenham
Russell, T. W. (Tyrone)
Samuel, Harry S. (Limehouse)
Sandon, Viscount
Sharpe, William Edward T.
Shaw-Stewart, M. H. (Renfrew
Sidebotham, J. W. (Cheshire)
Sidebottom, T. H. (Stalybr.)
Sidebottom, William (Derbysh
Simeon, Sir Barrington
Smith, Abel H. (Christchurch)
Smith, J. Parker (Lanarks)
Smith, Hon. W. F. D. (Strand)
Stanley, Hon. A. (Ormskirk)
Stanley, Edward Jas. (Somerset
Stanley, Sir H. M. (Lambeth)
Stewart, Sir M. J. M'Taggart
Stone, Sir Benjamin
Strauss, Arthur
Strutt, Hon. Charles Hedley
Sturt, Hon. Humphry Napier
Tollemache, Henry James
Tomlinson, Wm. Edw. Murray
Tritton, Charles Ernest
Tuke, Sir John Batty
Warr, Augustus Frederick
Welby, Lt-Col A. C. E. (Tauntn)
Welby, Sir Chas. G. E. (Notts.)
Whiteley, H. (Ashton-under-L.
Williams, Col. R. (Dorset)
Williams, Joseph Powell- (Birm
Willoughby de Eresby, Lord
Willox, Sir John Archibald
Wilson, Fred. W. (Norfolk)
Wilson, John (Falkirk)
Wilson, J. W. (Worcestersh, N.
Wilson-Todd, W. H. (Yorks.).
Wortley, Rt. Hon. C. B. Stuart
Wyndham, George
Wyvill, Marmaduke D'Arcy

TELLERS FOR THE NOES—Sir William Walrond and Mr. Anstruther.

MR. HEDDERWICK (Wick Burghs): The clause which I am now about to move touches neither the substance nor the principle of this Bill. It applies solely to Scotland, but though its scope is limited yet I hope that the right hon. Gentleman will see fit to accept it, as it will confer at least some benefit on agriculturists in Scotland. I think I can explain very shortly what the new clause proposes. Under the Agricultural Holdings (Scotland) Act, 1883, the manner in which notice of the termination of a tenancy is to be given is prescribed by the Sheriff Courts (Scotland) Act, 1853, and the form and mode of procedure under this old Act are by no means inexpensive or easy. But there is a subsequent Scotch Act passed 1886, the Removal Terms (Scotland) Act, under which notice may be given by a registered letter, and the whole effect of this Clause is to substitute notice by registered letter for the old and cumbrous method of giving notice under the Sheriff Courts (Scotland) Act. I venture to hope that the right hon. Gentleman will see his way to accept this Amendment, inasmuch as it proceeds on the lines of the main object of the Government in proposing this Bill —namely, to institute an inexpensive mode of procedure.

MR. LONG: The Government are prepared to accept the new clause, for the reasons stated by the hon. Member.

New clause—

"From and after the passing of this Act notice of termination of tenancy under Section 28 of The Agricultural Holdings (Scotland) Act, 1883, may be given in the same manner as a notice of removal under Section 6 of The Removal Terms (Scotland) Act, 1886." —(*Mr. Hedderwick.*)

—brought up and read the first and second time, and added.

MR. BUCHANAN: The Amendment which stands in my name, if carried, would remove the schedules from this Bill, and would make it, I think, a more substantial Bill than it is at present, because it then would lay down in general terms the compensation which a tenant could claim for improvements executed on his farm which added to its value. The right hon. Gentleman has stated that he desires to make a substantial improvement in the Agricultural Holdings Act, and when he introduced the Bill he stated that its expressed object was to settle once and for all the differences between owners and occupiers of land. Looked at from that point of view the Bill, when it comes to be considered in detail, is a very small measure indeed. It amends, and to a certain extent improves, the Agricultural Holdings Act, but as for making anything like a settlement of various outstanding questions, or making that radical alteration which is certainly desired by many who have considered this subject, at any rate in Scotland, it is a very small Bill indeed. Of course what may be suitable for England may not be suitable for Scotland, and one of the fundamental difficulties that has arisen is that many of the proposals of the right hon. Gentleman are such as we would not put into a Bill drawn with a view to meeting Scotch opinion. I will only quote two opinions in favour of the Amendment. One is that of the gentleman who represented Scotch farmers on the Committee of Agriculture. In his report he said that in his opinion schedules were unnecessary and should be swept away. The other Gentleman—Mr. Hope —is also a great authority on agriculture. He was a Deputy Commissioner to take evidence in various parts of the country, and made reports with reference to such diverse counties as Oxford, Berkshire, and Aberdeen. In summing up the evidence which he had taken, his first conclusion invariably was that schedules should be abolished, and that all improvements executed by the tenant which enhanced the value of the holding should be paid for by the landlord at the termination of the tenancy. The object of my Amendment is to give effect to what is undoubtedly a general desire on the part of leading agriculturists in Scotland. There can be no objection to this so long as we have complete confidence in the tribunal we are establishing. If we have complete confidence in that tribunal then we may lay down in general terms that the tenant should have the right to obtain compensation for any improvement that adds to the value of the farm.

Amendment proposed to the Bill—

"In page 1, line 6, to leave out the words 'comprised in the First Schedule to this Act.'" —(*Mr. Buchanan.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

*MR. LONG: I do not think it is necessary for me to go into the questions which have been raised by the hon. Gentleman. The hon. Gentleman has often told us, speaking as he does apparently for Scotland, the particular views he holds, but at all events he stands somewhat alone in regard to this particular question. So far as the assurances which have reached me from various parts of Scotland go, it is quite evident that there is a general desire on the part of agriculturists in Scotland that this Bill should pass very much in its present form, and I believe that it will confer substantial benefits on Scottish agriculture. The hon. Gentleman in moving this Amendment quoted the opinions of two Scotch agriculturists. Everyone who has had the privilege of knowing these two gentlemen will admit that they speak with the greatest possible authority, and that whether in their agricultural or private capacity they enjoy the respect and confidence of all who have had the good fortune to make their acquaintance, and everyone who knows them would give very great weight to the opinions they express on this or any other agricultural subject; but when they expressed the opinions quoted by the hon. Member they did not appreciate the ineffective character of the method they proposed. It is very difficult to understand from the hon. Gentleman's speech what object he has in view. I understand his object to be that as little limitation as possible should be placed on the right of the tenant to claim compensation. That is undoubtedly a very important feature. But it is by scheduling certain agricultural operations and calling them improvements that we give the tenant a statutory right to claim compensation for an agricultural operation as an improvement which might otherwise be open to doubt. The hon. Gentleman proposes to do away with the schedules altogether, but if the Amendment were carried the Bill would be unworkable, because the words he proposes to leave out are required in the present construction of the Bill. The improvements scheduled are divided into three classes. The first class must be carried out with the consent of the landlord. The second requires notice to the landlord, and the third requires neither consent nor notice. The hon. Gentleman proposes to merge all three, but he does not suggest the machinery by which that can be carried out. While I admit that his desire is to free the tenant, I am bound to say that the adoption of his proposal would leave the tenant in a much worse position than under this Bill. The schedules cover the greater part, if not all, the ground which ought to be covered in regard to improvements carried out by the tenant; and I submit that if the hon. Gentleman is able to show the House that there are agricultural operations which involve improvement to the soil, and which are not included in these schedules, instead of upsetting the whole Bill, he ought to add them in the schedules. If the words were left out, the whole Bill would be upset, and it would not have the effect the hon. Gentleman desires.

DR. FARQUHARSON: I do not think that hon. Members on this side of the House who are interested in agriculture would break their hearts if the Bill were upset. My hon. friend's proposal is that the tenant should get full compensation for any operation on the farm which would have the effect of improving the letting value of the land. If there is full faith in the valuator, he would decide that where the tenant has done anything unnecessary or had deteriorated the value of the land, the tenant should not get any compensation at all. And quite right, too. My right hon. friend the President of the Board of Agriculture has not, I think, given full credit to Scotch agricultural opinion. I do not know whether my right hon. friend remembers attending a conference of Scottish agriculturalists, when some home truths were presented to him. These Scottish agriculturists told him that they did not believe his Bill would do much good in Scotland. I reiterate my protest against Scotland being lumped together with England on this question. There should have been a separate Bill for Scotland, where the conditions of agriculture are so different from those of England.

*MR. CHANNING: I support the Amendment on several grounds, but chiefly on the grounds of principle and precedent. The Market Gardeners' Compensation Act of 1895 practically gives assent to the principle involved in the Amendment of my hon. friend. What he has moved is simply to abolish the schedules, and that means that in every

contract of tenancy there should be implied the complete right of the tenant to execute any improvement which will increase the value of the holding for the purposes for which it was let, and to obtain compensation for doing so under the arbitrator's award. My right hon. friend has urged that it would be better to have the schedules and that they increase the power of the tenant to obtain compensation; because the tenant would have a list of the improvements that might be made, and if his improvements were in that list he would be able to set up a case. I wonder if the right hon. Gentleman has heard of the discussions in the Central Chamber of Agriculture, which ended in a recommendation that there should be several additions to the list of items in respect of which payment might be made, and—

"Finally, any other improvements increasing the letting value of an agricultural holding, not specifically mentioned in the schedules, and for which a tenant is not otherwise compensated."

That recommendation, though shown by practical opinion to be necessary, is obviously a *reductio ad absurdum* of the whole theory of schedules. My hon. friend the Member for East Aberdeenshire quoted the opinion of Mr. Clay and Mr. James Hope. He might have quoted many others who came before the Commission, and desired that the most absolute freedom should be given to the tenant to make improvements. I may say that this is not a merely Scotch contention. On the contrary, the principle was first embodied in the English Market Gardeners Compensation Act in 1895. That Act was the outcome of a custom which had grown up among the fruit-growers of the Vale of Evesham of recognising the absolute right of the tenants to carry out improvements in their own way. I might also quote Mr. Drew, the Secretary of the Farmers' Club, who repeatedly expressed the opinion that the schedules should be done away with, and that a general presumption should be established of the right of the tenants to make improvements with a right to compensation, unless where waste or damage had been done to the holding. That principle had the support of many practical farmers, including former chairmen of the Central Chamber of Agriculture, and also the strong support of the fruit growers of Kent. It seems to me that a very substantial case has been made out for the Amendment. I have myself taken the intermediate course of suggesting that some items of the schedule should be transferred from Part 1 to Part 2, and others from Part 1 to Part 3, as a compromise. At the same time, as a matter of principle, I think that ultimately we shall arrive at the system proposed in the Amendment, of recognising all improvements which are reasonable and suitable for the purposes for which a holding is let, and we should thus get rid of a great deal of needless friction. The landlord would, of course, remain able at common law to prevent improper experiments by the tenant on the holding he has on lease. In any case, my hon. friend is well advised in raising this question by his Amendment. The principle is one upon which legislation will ultimately proceed, and I certainly will give him my support.

MR. JEFFREYS (Hampshire, N.): I should not like it to go forth that the Central Chamber of Agriculture favours the abolition of the schedule. I may remind the House that the first schedule is divided into three parts. The first sets forth the things which may be done on a farm, after getting the consent of the landlord; the second, the improvements in respect of which notice to the landlord is required; and the third, the improvements in respect of which the consent of or notice to the landlord is not required. The Central Chamber of Agriculture did not favour the abolition of this schedule.

*Mr. CHANNING: I only mentioned that several leading farmers advocated, in the Chambers, the abolition of the schedules, and that two former presidents of the Central Chamber of Agriculture had expressed the same opinion.

MR. JEFFREYS: The Central Chamber of Agriculture supported the three parts of the schedule very strongly, and only wished to add to them. I hope the House will reject the Amendment of the hon. Gentleman, for it would really cut away the whole benefits of the Bill.

Question put.

The House divided:—Ayes, 170; Noes, 91. (Division List No. 202.)

AYES.

Acland-Hood, Capt. Sir Alex. F.
Aird, John
Arrol, Sir William
Atkinson, Rt. Hon. John
Baird, John G. Alexander
Balfour, Rt. Hn. A. J. (Manch'r.
Balfour, Rt Hn Gerald W (Leeds
Banbury, Frederick George
Bartley, George C. T.
Beach, Rt. Hon. Sir M. H. (Brstl)
Bemrose, Sir Henry Howe
Bethell, Commander
Bill, Charles
Blakiston-Houston, John
Bond, Edward
Boscawen, Arthur Griffith-
Bowles, T. Gibson (Kink's Lynn
Brassey, Albert
Bullard, Sir Harry
Carson, Rt. Hon. Sir Edw. H
Cavendish, R. F. (N. Lancs.)
Cavendish, V. C. W. (Derby)
Cecil, Evelyn (Hertford, East)
Cecil, Lord Hugh (Greenwich)
Chamberlain, Rt. Hn. J. (Birm.
Chamberlain, J Austen (Worc'r
Chaplin, Rt. Hon. Henry
Chelsea, Viscount
Clare, Octavius Leigh
Coghill, Douglas Harry
Collings, Rt. Hon. Jesse
Corbett, A. Cameron (Glasgow)
Cornwallis, Fiennes Stanley W.
Cox, Irwin E. Bainbridge
Cross, Alexander (Glasgow)
Cross, Herbert S. (Bolton)
Curzon, Viscount
Dalkeith, Earl of
Dalrymple, Sir Charles
Davies, Sir Horatio D (Chatham
Dickinson, Robert Edmond
Digby, John K. D. Wingfield
Dixon-Hartland, Sir F. Dixon
Donkin, Richard Sim
Douglas, Rt. Hon. A. Akers-
Dyke, Rt. Hon. Sir Wm. Hart
Egerton, Hon. A. de Tatton
Elliot, Hon. A. Ralph Douglas
Faber, George Denison
Fardell, Sir T. George
Fellowes, Hon. Ailwyn Edw.
Field, Admiral (Eastbourne)
Finlay, Sir Robert Bannatyne
Fisher, William Hayes
FitzGerald, Sir Robert Penrose-
Fitz Wygram, General Sir F.
Flannery, Sir Fortescue
Foster, Colonel (Lancaster)
Garfit, William
Gedge, Sydney
Gibbs, Hn. A. G. H. (City of Lon.
Gibbs, Hon. Vicary (St. Albans)
Gilliat, John Saunders
Godson, Sir Augustus Fredk.
Gordon, Hon. John Edward
Gorst, Rt. Hon. Sir John Eldon
Goschen, George J. (Sussex)
Gray, Ernest (West Ham)
Gull, Sir Cameron
Hamilton, Rt Hon. Lord George
Hanbury, Rt. Hon. Robert Wm.
Hardy, Laurence
Hatch, Ernest Frederick Geo.
Henderson, Alexander
Hoare, E. Brodie (Hampstead)
Hornby, Sir William Henry
Houldsworth, Sir Wm. Henry
Houston, R. P.
Hutchinson, Capt. G. W. Grice-
Hutton, John (Yorks. N.R.)
Jeffreys, Arthur Frederick
Johnson-Ferguson, Jabez E.
Johnstone, Heywood (Sussex)
Kenyon-Slaney, Col. William
Keswick, William
Knowles, Lees
Laurie, Lieut.-General
Lawrence, Sir E Durning-(Corn
Lawson, John Grant (Yorks.)
Lecky, Rt. Hon. Wm. E. H.
Llewelyn, Sir Dillwyn-(Sw'ns'a
Loder, Gerald Walter Erskine
Long, Col. Chas. W. (Evesham)
Long, Rt. Hon. W. (Liverpool)
Lopes, Henry Yarde Buller
Lowles, John
Loyd, Archie Kirkman
Lyttleton, Hon. Alfred
Macartney, W. G. Ellison
M'Killop, James
Malcolm, Ian
Martin, Richard Biddulph
Milbank, Sir Powlett C. J.
Milner, Sir Frederick George
Milward, Colonel Victor
Monckton, Edward Philip
Monk, Charles James
Moon, Edward Robert Pacy
Moore, William (Antrim, N.)
More, Robt. Jasper (Shropshire)
Morgan, Hn. F. (Monm'thsh.
Morrell, George Herbert
Morton, A. H. A. (Deptford)
Mount, William George
Muntz, Philip A.
Murray, Rt Hn A Graham (Bute
Murray, Charles J. (Coventry)
Nicol, Donald Ninian
Parkes, Ebenezer
Pease, Herbert P. (Darlington)
Peel, Hon. Wm. Robert W.
Percy, Earl
Pilkington, R. (Lancs Newton)
Powell, Sir Francis Sharp
Pretyman, Ernest George
Pryce-Jones, Lt.-Col. Edward
Purvis, Robert
Pym, C. Guy
Quilter, Sir Cuthbert
Ridley, Rt Hn Sir Matthew, W.
Ritchie, Rt. Hn. Chas. Thomson
Robertson, Herbert (Hackney)
Round, James
Russell, Gen. F. S. (Chelt'hm)
Russell, T. W. (Tyrone)
Samuel, Harry S. (Limehouse)
Sandon, Viscount
Shaw-Stewart, M. H. (Renfrew)
Sidebotham, J. W. (Cheshire)
Sidebottom, T. Harrop (Stalybr
Sidebottom, William (Derbys.)
Smith, Abel H. (Christchurch)
Smith, J. Parker (Lanarks.)
Smith, Hon. W. F. D. (Strand)
Stanley, Hon Arthur (Ormskirk
Stanley, Edward Jas (Somerset)
Stanley, Sir Henry M (Lambeth
Stone, Sir Benjamin
Strutt, Hon. Charles Hedley
Sturt, Hon. Humphry Napier
Thornton, Percy M.
Tollemache, Henry James
Tomlinson, Wm. Edw. Murray
Tritton, Charles Ernest
Tuke, Sir John Batty
Warr, Augustus Frederick
Welby, Lt.-Cl. A. C. E. (Taunt'n
Welby, Sir Charles G. E. (Notts
Whiteley, H. (Asht'n-under-L.
Williams, Colonel R. (Dorset)
Williams, J. Powell- (Birm.)
Willoughby de Eresby, Lord
Willox, Sir John Archibald
Wilson, John (Falkirk)
Wilson, J. W. (Worcestersh. N.
Wilson-Todd, W. H. (Yorks.)
Wylie, Alexander
Wyndham, George
Wyvill, Marmaduke D'Arcy
Young, Commander (Berks, E.

TELLERS FOR THE AYES—
Sir William Walrond and
Mr. Anstruther.

NOES.

Abraham, Wm. (Cork, N.E.)
Atherley-Jones, L.
Barlow, John Emmott
Beaumont, Wentworth C. B.
Billson, Alfred
Birrell, Augustine
Bolton, Thomas Dolling
Bramsdon, Thomas Arthur
Broadhurst, Henry
Caldwell, James
Cameron, Robert (Durham)
Causton, Richard Knight
Channing, Francis Allston
Courtney, Rt. Hon. Leonard H.
Crilly, Daniel
Curran, Thomas B. (Donegal)
Dalziel, James Henry
Davies, M. Vaughan-(Cardigan
Dilke, Rt. Hon. Sir Charles
Dillon, John
Donelan, Captain A.
Doogan, P. C.
Flavin, Michael Joseph
Flynn, James Christopher
Gladstone, Rt. Hon. H. J.
Goddard, Daniel Ford
Grey, Sir Edward (Berwick)
Gurdon, Sir William Brampton
Haldane, Richard Burdon
Hayne, Rt. Hon. Charles Seale-
Hedderwick, Thomas Chas. H.
Hemphill, Rt. Hon. Charles H.
Hogan, James Francis
Horniman, Frederick John
Jones, William (Carnarvonsh.
Kearley, Hudson, E.

Leese, Sir Joseph F. (Accrington
Leng, Sir John
Lewis, John Herbert
Lloyd-George, David
Lough, Thomas
Macaleese, Daniel
MacNeill, John Gordon Swift
M'Arthur, William (Cornwall)
M'Crae, George
M'Ghee, Richard
M'Leod, John
Maddison, Fred
Molloy, Bernard Charles
Morgan, J. Lloyd (Carmarthen
Moulton, John Fletcher
Norton, Capt. Cecil William
O'Connor, J. (Wicklow, W.)
Oldroyd, Mark
Pearson, Sir Weetman D.
Pease, Joseph A. (Northumb.)
Philipps, John Wynford
Pickard, Benjamin
Pickersgill, Edward Hare
Power, Patrick Joseph
Price, Robert John
Reckitt, Harold James
Roberts, John H. (Denbighs.)
Robson, William Snowdon
Runciman, Walter
Samuel, J. (Stockton-on-Tees)
Sinclair, Capt. Jno. (Forfars.)
Smith, Samuel (Flint)
Spicer, Albert
Stanhope, Hon. Philip J.
Sullivan, Donal (Westmeath)
Tennant, Harold John
Thomas, A. (Glamorgan, E.)
Wallace, Robert
Walton, J. Lawson (Leeds, S.)
Wason, Eugene
Wedderburn, Sir William
Weir, James Galloway
Whittaker, Thomas Palmer
Williams, John Carvell (Notts.
Wilson, Charles Henry (Hull)
Wilson, Fred. W. (Norfolk)
Wilson, H. J. (York, W. R.)
Wilson, John (Durham, Mid.)
Wilson, John (Govan)
Wilson, J. H. (Middlesbrough
Woodhouse, Sir J. T. (Huddrsfield
Woods, Samuel
Young, Samuel (Cavan, East)
Yoxall, James Henry

TELLERS FOR THE NOES—Mr. Buchanan and Dr. Farquharson.

MR. YOXALL (Nottingham, W.): Hon. Members will see that the Amendment I now move refers to suburban allotments, which are of a very peculiar nature, and held under a very peculiar tenure. The Allotment Gardens Compensation Act of 1887 does not meet their case, and my Amendment, I venture to say, will do substantial justice to a class of people worthy of the greatest consideration, and will meet a special want in regard to the tenure of land in this country. The land given up to these allotments in the neighbourhood of great towns is land that is ripening for building purposes. It is land outside a ring fence, that cannot be properly attached to a farm, and is often bounded by railways or canals, and consists of loose patches waiting for the builder. In the meantime it is let out in half or three-quarters of a rood to artisans from our great towns, who go out there to obtain some touch with nature and some change from the monotony of factory life. They bring their wives and children with them, and on a Sunday, outside church hours, you will find them in hundreds and thousands enjoying there the best imitation they can obtain of the beauties of nature. In order the better to enjoy this suburban rurality it has grown to be a custom, I may almost say an essential thing, to build a small summer-house, sometimes with a little kitchen range and a chimney, and to furnish it with a table and a few chairs. Frequently the midday meal on a Sunday is partaken in these small summer-houses. A small greenhouse is often found attached; and occasionally, where the gardens are sufficiently removed from the city, there would be a fowl-house or a pig-sty. These buildings, no doubt, are put up without the leave of the landlord. I venture to speak on behalf of the Federation of Allotment Garden Holders Associations, who have carefully considered this matter, and who believe they have a claim for compensation for these buildings when they are compelled to move. Having regard to the moral influence of these suburban allotment gardens, I see no reason why the House should not make it possible for these people to enjoy this semi-rural life on Bank Holidays and Sundays in safety as to the future. I do not complain on their behalf of the high rents they pay, often as much as at the rate of 20 guineas per acre, which is very high compared with agricultural rent in this country. I do not complain of the high rent of twenty guineas per acre. I do not complain of the cottage gardener or the allotment gardener, the class to which I refer, receiving no compensation if against his wish he has to leave his plot because he has to go and live in another town. I do not complain of that at all, but what I do complain of is, that having established these allotment gardens and cultivated them and put up their little buildings upon them on the faith of long custom and long habit, they cannot when that land is sold for building purposes claim any compensation at all. The land is only sold when it is absolutely ripe for building, and it is sold then at a very high profit, and the small amount of compensation that I have suggested in my Amendment the Committee will agree is not too much. The compensation is

strictly limited in amount. I shall be told that they have a right to take away the fruit bushes and fruit trees not firmly planted in the land, so to speak. But I would point out to the Committee that one cannot take away from the land with any profit fruit trees and fruit bushes; and the buildings which have been put up are not saleable at all at the price of the cost which they represent. What I wish to do is to obtain for those tenants the right to take away their fruit trees and fruit bushes, and I think on the determination of the tenancy by the action of the landlord and not of the tenant—as in cases where the land has become ripe for immediate building purposes, and the tenant is turned out at six months notice—where there is no compensation at all by the operation of the compensation clause of the existing Act, the tenant ought to have the right to compensation to the extent of one-third of the gross value of his improvements or £10, whichever is the greater sum. I venture to hope that I have shown to the Committee a good case for their favourable consideration. This is a very deserving class, the artisans of the great towns; and from the point of view of public behaviour and public morals, of detachment from less worthy pursuits, of health given to wife and children who are enabled to spend many hours in the spring and summer months amongst the green leaves and away from the shut-in atmosphere of the cities—from the point of view of public interest and national interest generally, and of improving the physique of the people, and detaching them from public-houses and from betting and other forms of amusement far too prevalent in our towns, I ask that the tenant shall be put in a better position than he stands at present. My Amendment is one that is looked upon with great favour by the populations of the large manufacturing towns of this country, and I believe it is the only proposal of this particular kind now before the House. I beg to move.

Amendment proposed—

"In page 1, line 12, after the word 'tenant,' to insert the words, 'And the tenant of a holding, being an allotment or cottage garden, shall be entitled to obtain from the landlord compensation in money for fruit trees, fruit bushes, drains, and for any outbuildings, pigsties, fowl-houses, or other structural improvements made by the tenant upon his holding to the extent of one-third of their gross value; provided always that this compensation shall not exceed ten pounds, and that the tenant shall have the right to remove such fruit trees, fruit bushes, outbuildings, pigsties, and fowl-houses in addition to the right to the aforesaid compensation, and that if the tenancy be determined after notice given by the tenant no right to compensation in money shall exist.'"—(*Mr. Yoxall.*)

Question proposed, "That those words be there inserted."

*MR. LONG: The hon. Gentleman has honestly endeavoured to deal with what he no doubt considers a very difficult question, but I very much doubt if the difficulty be as great as he imagines it is, or whether there is any difficulty at all, and I do not know whether the allotment holders, after all, will approve of this Amendment when they find how it works out in their own individual cases. How does the question of compensation stand? The Allotments Act of 1887 provides that the tenants shall receive full compensation for the erection of buildings and other improvements, provided they obtain the assent of the landlords to those improvements in the first instance. Then they can do what they like. The hon. Gentleman proposes by his Amendment that that assent shall be done away with, and that the tenant shall be entitled to compensation to the extent of one-third of the gross value of his property, and then, in order to do justice to the landlord, he proposes that the compensation shall be limited to £10. I cannot conceive how a proposal of this kind could work out equitably throughout the country generally. Everybody agrees with what the hon. Gentleman said as to the desirability of people in the towns having gardens of this character, and everybody who has observed the condition of large towns must be aware of the wonderful increase in the provision of allotments and gardens all over the country. The hon. Gentleman by his proposal not only suggests that the tenant shall be entitled to claim compensation from the landlord with respect to the expenditure and disturbance entailed upon him, but that when the landlord has paid the compensation the tenant shall be entitled to remove the fruit trees and other things which he has sold to the landlord. It is a most remarkable way to

arrive at a just compensation, and I cannot believe it will confer the advantage upon the allotment-holders which the hon. Gentleman desires. I am bound to say also that it involves a principle to which I could not assent, that these men are to be allowed to make alterations in the character of their holdings without the consent of the landlord. Therefore, I must resist the Amendment.

MR. PRICE (Norfolk, E.): I am very sorry the right hon. Gentleman did not see his way to accept this Amendment, or some portion of it. There is no real difficulty in this matter; that is shown by the fact that all this large number of associations have asked my hon. friend to move in the matter. It is true that compensation can be claimed if the assent of the landlord in writing has been first obtained, but in the vast majority of the cases the assent of the landlord cannot be obtained, the result being that large amounts of improvements have been confiscated. Of course it is very difficult to say what are improvements on land that is to be used for building and what are not, but at the same time I am sorry that the right hon. Gentleman, whilst agreeing to the desirability of doing something, has not seen his way to accept the Amendment.

Question put.

The House divided:—Ayes, 76; Noes, 134. (Division List No. 203.)

AYES.

Allan, William (Gateshead)
Barlow, John Emmott
Bayley, Thomas (Derbyshire)
Billson, Alfred
Bolton, Thomas Dolling
Bramsdon, Thomas Arthur
Broadhurst, Henry
Buchanan, Thomas Ryburn
Burns, John
Burt, Thomas
Caldwell, James
Crilly, Daniel
Cross, Alexander (Glasgow)
Curran, Thomas B. (Donegal)
Curran, Thomas (Sligo, S.)
Dalziel, James Henry
Dilke, Rt. Hn. Sir Charles
Dillon, John
Donelan, Captain A.
Doogan, P. C.
Fenwick, Charles
Flavin, Michael Joseph
Flynn, James Christopher
Gladstone, Rt. Hn. Herbert J.
Goddard, Daniel Ford
Griffith, Ellis J.
Haldane, Richard Burdon
Hayne, Rt. Hon. Chas. Seale-
Hemphill, Rt. Hn. Charles H.
Hogan, James Francis
Horniman, Frederick John
Hutton, Alfred E. (Morley)
Jones, Wm. (Carnarvonshire)
Lawson, Sir Wilfrid (Cumb'lnd)
Leese, Sir J. F. (Accrington)
Lewis, John Herbert
Lloyd-George, David
Lough, Thomas
Macaleese, Daniel
MacNeill, John Gordon Swift
M'Arthur, William (Cornwall)
M'Dermott, Patrick
M'Ghee, Richard
M'Kenna, Reginald
M'Leod, John
Maddison, Fred.
Molloy, Bernard Charles
Morgan, J. Lloyd (Carmarthen
Moulton, John Fletcher
Norton, Capt. Cecil William
O'Connor, Jas. (Wicklow, W.)
O'Malley, William
Pease, Joseph A. (Northumb.)
Philipps, John Wynford
Pickard, Benjamin
Power, Patrick Joseph
Price, Robert John
Rickett, J. Compton
Roberts, John H. (Denbighs.)
Samuel, J. (Stockton-on-Tees)
Sinclair, Capt. J. (Forfarshire)
Smith, Samuel (Flint)
Spicer, Albert
Sullivan, Donal (Westmeath)
Tanner, Charles Kearns
Thomas, Abel (Carmarthen, E.
Thomas, Alfred (Glamorgan E.)
Walton, Joseph (Barnsley)
Wedderburn, Sir William
Weir, James Galloway
Williams, John Carvell (Notts.
Wilson, Frederick W. (Norfolk)
Wilson, Henry J. (York, W.R.
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Woodhouse, Sir J T (Huddersf'd
Woods, Samuel

TELLERS FOR THE AYES—Mr. Yoxall and Mr. Steadman.

NOES.

Arrol, Sir William
Atkinson, Right Hon. John
Baird, John George Alexander
Balfour, Rt. Hn. A. J. (Manch'r)
Balfour, Rt. Hon. G. W. (Leeds)
Bartley, George C. T.
Beach, Rt. Hn. Sir M. H. (Bristol
Bemrose, Sir Henry Howe
Bethell, Commander
Blakiston-Houston, John
Boscawen, Arthur Griffith-
Bowles, Capt. H. F. (Middlesex
Bowles, T. Gibson (King's Lynn
Brodrick, Rt. Hon. St. John
Bullard, Sir Harry
Carson, Rt. Hon. Sir Edw. H.
Cavendish, V. C. W. (Derbys)
Cecil, Evelyn (Hertford, East)
Cecil, Lord Hugh (Greenwich)
Chamberlain, Rt. Hn. J. (Birm.)
Chamberlain, J. Austen (Worcr
Chaplin, Rt. Hon. Henry
Charrington, Spencer
Clare, Octavius Leigh
Coghill, Douglas Harry
Collings, Rt. Hon. Jesse
Cook, Fred. Lucas (Lambeth)
Corbett, A. Cameron (Glasgow
Cornwallis, Fiennes Stanley W.
Cox, Irwin Edw. Bainbridge
Curzon, Viscount
Davies, Sir H. D. (Chatham)
Digby, John K. D. Wingfield-
Donkin, Richard Sim
Douglas, Rt. Hon. A. Akers-
Dyke, Rt. Hn. Sir William Hart

Fellowes, Hon. Ailwyn Edward
Field, Admiral (Eastbourne)
Finlay, Sir Robert Bannatyne
Fisher, William Hayes
FitzGerald, Sir Robert Penrose-
Fitz Wygram, General Sir F.
Flannery, Sir Fortescue
Garfit, William
Gibbs, Hon. Vicary (St. Albans
Gilliat, John Saunders
Godson, Sir Augustus Fredk.
Goldsworthy, Major-General
Gordon, Hon. John Edward
Gorst, Rt. Hn. Sir John Eldon
Goschen, George J. (Sussex)
Gray, Ernest (West Ham)
Gurdon, Sir William Brampton
Hamilton, Rt. Hon. Lord G.
Hanbury, Rt. Hon. Robert Wm.
Hardy, Laurence
Hatch, Ernest Frederick Geo.
Henderson, Alexander
Hoare, Edw. B. (Hampstead)
Hornby, Sir William Henry
Houston, R. P.
Hutton, John (Yorks, N.R.)
Jeffreys, Arthur Frederick
Johnstone, Heywood (Sussex)
Kenyon-Slaney, Col. William
Keswick, William
Knowles, Lees
Lawrence, Sir E Durning-(Corn.
Lawson, John Grant (Yorks.)
Lecky, Rt. Hn William Edw. H.
Llewellyn, Sir Dillwyn (S'nsea)
Loder, Gerald Walter Erskine
Long, Rt. Hon. W. (Liverpool)
Lopes, Henry Yarde Buller
Lowles, John
Loyd, Archie Kirkman
Lyttelton, Hon. Alfred
Macartney, W. G. Ellison
Macdona, John Cumming
M'Killop, James
Malcolm, Ian
Milbank, Sir Powlett Chas. J.
Milner, Sir Frederick George
Monckton, Edward Philip
Moon, Edward Robert Pacy
Moore, William (Antrim, N.)
More, Robt. Jasper (Shropshire)
Morgan, Hn. F. (Monmouthsh.
Morrell, George Herbert
Morton, A. H. A. (Deptford)
Mount, William George
Muntz, Philip A.
Murray, Rt Hn A Graham (Bute
Murray, Charles J. (Coventry)
Nicholson, William Graham
Nicol, Donald Ninian
Parkes, Ebenezer
Peel, Hon. Wm. Robert W.
Percy, Earl
Pilkington, R. (Lancs., Newt'n
Powell, Sir Francis Sharp
Pretyman, Ernest George
Purvis, Robert
Pym, C. Guy
Ridley, Rt. Hn. Sir Matthew W.
Ritchie, Rt. Hon Chas Thomson
Robertson, Herbert (Hackney)
Round, James
Russell, Gen. F. S. (Cheltenham
Russell, T. W. (Tyrone)
Shaw-Stewart, M. H. (Renfrew)
Sidebotham, T. Harrop (Stalybr.
Sidebottom, William (Derbys.
Smith, Abel H. (Christchurch)
Smith, J. Parker (Lanarks.)
Smith, Hon. W. F. D. (Strand)
Stone, Sir Benjamin
Strutt, Hon. Charles Hedley
Sturt, Hon. Humphrey Napier
Thornton, Percy M.
Tollemache, Henry James
Tomlinson, Wm. Edw. M.
Tuke, Sir John Batty
Warr, Augustus Frederick
Welby, Sir Charles G. E. (Notts
Whiteley, H. (Ashton-under-L.
Williams, Colonel R. (Dorset)
Williams, J. Powell- (Birm.)
Willoughby de Eresby, Lord
Wilson, John (Falkirk)
Wilson, J W (Worcestershire, N
Wylie, Alexander
Wyndham, George
Young, Commander (Berks, E.)

TELLERS FOR THE NOES—
Sir William Walrond and
Mr. Anstruther

*SIR CHARLES WELBY (Nottinghamshire, Newark) : The words of the Amendment which I now beg to move are taken bodily from the existing Act, and therefore it seems to me it falls upon the Government to justify their omission rather than on me to justify their retention. When this question was referred to upstairs, it was pointed out that the proviso was not in the Act of 1883, as it was originally drafted, but was inserted in the Committee stage. But what was the history of its insertion? It was inserted in the Bill of 1883 upon the motion of the right hon. Gentleman the present Chancellor of the Exchequer, and it was moved after a more drastic Amendment, which limited the compensation of the tenant to his actual outlay, had been proposed and carried by the present First Lord of the Treasury. The Amendment of the right hon. Gentleman was, with some slight modifications, accepted by the Government and inserted in the Bill, and it was then recognised upon all sides of the House to be a reasonable precaution against possible misunderstanding. This Amendment which I now move will have the same effect in this Bill. I admit that the words are vague and unsatisfactory, but the object of the proviso is, so far as improvements are concerned, to separate as far as possible the interest of the tenant from that of the landlord. I am as anxious as anyone to secure for the tenant full compensation for his outlay, initiative, and energy, but it is perfectly obvious that there must be a point at which one interest ends and the other begins. Take an extreme case which I admit is unlikely to arise, but which shows the principle. A man may, by the mere fact of turning the course of a river, turn 200 acres of worthless swamp into valuable fertile land. But no one contends that in such a case as that he should be entitled to the capital value of all that reclaimed acreage of land. But I confess I can see in this Bill no sort of safeguard against such an extreme interpretation as that being placed upon it. The right hon. Gentleman, as I understood when this question was raised upstairs, objected to the proviso, mainly on the ground that it was of no practical effect. I am not prepared to accept that entirely, but even granting it, I submit that it does not necessarily follow that, because words are in an Act of Parliament and have no effect, the deliberate omission

of those words will have no effect. We apprehend, rightly or wrongly, that these words having been in an Act of Parliament, their omission may be construed as an instruction to arbitrators to make some change in their practice, and to ascribe to an outgoing tenant something that has hitherto been recognised by all as inherent with the ownership of the soil. The right hon. Gentleman made the important statement, upstairs, that the Government did not by omitting these words intend any change in the law or in the practice. I would respectfully submit to him that, as the Government do not intend to make any change in the law or in the practice, and as, so far as I am aware, there is no demand for any change; and as, on the other hand, there are apprehensions in many quarters as to what the effect of the omission may be, it would be well to let well alone, and to reinsert these words as part of the law. I beg to move.

Amendment proposed—

"In page 1, line 12, after the word 'tenant,' to insert the words, 'Provided always that, in estimating the value of any improvement in Schedule I., there shall not be taken into account, as part of the improvement made by the tenant, what is justly due to the inherent capabilities of the soil.'"—(*Sir Charles Welby.*)

Question proposed, "That those words be there inserted."

*MR. LONG: My hon. friend may be quite certain that apart altogether from the distinguished origin of the Amendment, the subject is one which coming from himself would receive my consideration. I confess that when I was anticipating the points of difficulty that might arise in the discussion of this Bill, it never entered my head that this would be one of them. The reason for leaving out the words was accurately described by my hon. friend. He told us something of the history of the way the words got into the Act of 1883. It is quite true that they were words suggested by my right hon. friend, but I am not quite sure that they were suggested by him because he believed they were of very great importance, or far reaching. Now he entirely concurs that they are of no value as they stand. My hon. friend suggests that, although they may be of no value, the fact that they are in the Act of Parliament, and that Parliament is asked to leave them out of this Bill, may have a bearing on future action in this matter. I confess that I have never been able to understand how a landlord is going to consider agricultural operations in connection with the soil without considering in the valuation what is due to the soil itself—how much the soil has paid for the production of the article for which compensation is to be given. My hon. friend thinks the omission of the words may lead to difficulty. The Royal Commission considered these words with the greatest possible care, and made some moderate and sensible recommendations. Mr. Lipscombe spoke in the strongest terms of these words, and other valuers have described them as having a mischievous effect. Recommendations have been made from all quarters that the words should be omitted. They have led to the suggestion, as my hon. friend is aware, that the landlord seeks to deprive the tenant of that which is the result of the tenant's work. This has led to some reflection being cast on the Act of Parliament itself. I have discussed this matter with some of the most experienced valuers I have lately come across, and so far as I know there is no suggestion that the omission of these words would have the far-reaching and serious effect my hon. friend fears. I confess I do not share my hon. friend's fears in any way whatever. I hope the House will accept the suggestion the Government have made and will not assent to the reinsertion of the words.

*EARL PERCY (Kensington, S.) said he regretted extremely that the right hon. Gentleman had not been able to accept the small and reasonable Amendment of his hon. friend. They had really heard no reason whatever, either in the Committee upstairs or in that House, in favour of striking out the words, except the evidence given before the Royal Commission. The right hon. Gentleman alluded to that and it would be worth while to see how absolutely conflicting and contradictory it was. The right hon. Gentleman alluded to the evidence given by Mr. Lipscombe

who was in favour of striking out the words, because they were entirely unnecessary and inoperative at the present moment. Sir J. Bennet Lawes, while in favour of the exclusion of the words, was of opinion that they contained a principle which the arbitrators would be bound to take into account in giving an award, whether the words were in the Bill or not. Did Mr. Lipscombe mean that the arbitrators had acted in open defiance of the principles laid down by the law? He should say that was a good reason for appointing a commission of enquiry similar to the Fry Commission, which reported on the working of the Irish Land Acts. If Sir J. Bennet Lawes was correct, what on earth could be the reason for striking the words out of the Bill? A more extraordinary way of enlisting the confidence of either tenant or landlord in the impartiality of this tribunal, to which for the first time they were giving unlimited discretion, while withdrawing the right of appeal which had hitherto existed to the county court, could hardly be imagined. The right hon. Gentleman had stated in reference to the history of the matter, that although it was true these words were inserted in the Bill in 1883, on the motion of the right hon. Gentleman who was now Chancellor of the Exchequer, he was not at all sure that the Chancellor of the Exchequer at that time attached any importance to them. All he knew was that his right hon. friend the First Lord of the Treasury moved an Amendment in 1883 on the Bill of the then Government—a far more stringent one—providing that compensation to tenants in case of improvements executed without the consent of the landlord should be limited to the amount of the capital expenditure by the tenant. He carried that Amendment against the Government, and the Government was so annoyed that they proceeded to suggest that the Amendment by the Chancellor of the Exchequer should be accepted in place of the Amendment by his right hon. friend. The present Chancellor of the Exchequer, in moving the Amendment, used words quite incompatible with the assertion of the right hon. Gentleman, that he attached no importance to it. He said—

"He was bound to say he thought there would be something required in the Bill in the nature of a limit to the discretion of the valuer beyond the words 'inherent capabilities of the soil.'"

Later on the right hon. Gentleman said—

"What he was anxious to do was to enable this Bill to work if it could; and what he was convinced of was this—that it would be difficult enough for the first part of the Schedule to work under any circumstances, for he did not believe the tenantry of England were likely, so long as the English land system endured, to desire to make these permanent improvements. But if the Committee wished to deter landlords from giving their assent to the making of these permanent improvements by the tenants, they could not do better than leave it open to the valuer to give to the tenant compensation for that which really belonged to the landlord. Therefore, he was anxious to limit the action of the valuers in this matter, as the Government themselves desired, and to show in the four corners of the Bill that the valuers were not to take that course. The landlord, if he gave his consent to the permanent improvements being made, would not then be under any fear that he would be deprived of any property which belonged to him; and with that view he had proposed this Amendment."

It appeared, therefore, that he did attach importance to it at the time. A protest ought to be made against this kind of slipshod legislation to which they were becoming accustomed in connection with all questions relating to agriculture. The Government pretended that these words were unnecessary, or at any rate that they might raise conflict and misunderstanding, and instead of taking the trouble to devise some phrase to express their meaning better, they asked the House to strike the words out of the Bill. Surely the English language was capable of giving such a definition. They might find words which would not be open to the objections urged against this proviso in Ricardo's "Original and Indestructible Properties of the Soil," or in the definitions of any treatise on political economy. Instead of trying to devise an alternative they trusted absolutely to the impartiality of gentleman who, it had been stated, paid no attention to the principles of the statute under which they act. It was said in evidence before the Royal Commission that these words might deter tenants from coming forward with claims of a certain character. If there was one difficulty in this legislation it was that it encouraged a tenant to believe that by a dexterous manipulation of his claim he might extract from the arbitrator something to which he had no right and which the law never intended to give him. The result was that the landlord had to make an equally exaggerated claim, and the

arbitrators, in order to save themselves the trouble of going into the matter, took the easy way of splitting the difference. In some form or other words should be introduced which would limit and restrict the discretion of the arbitrator.

LORD WILLOUGHBY DE ERESBY (Lincolnshire, Horncastle) confessed he was somewhat disappointed at the reply of the President of the Board of Agriculture, because he thought the right hon. Gentleman would be able to give a better reason for his opposition to the Amendment than he had done. When he came to the House that night he did not think this was a point they should press on the Government; but, considering the small excuse the Government so far had given for leaving out the words which appeared in every other Agricultural Act dealing with holdings, he should feel himself bound to support his hon. friend unless they got some better explanation. The two hon. Members who had just spoken had fully gone into the history of the words and the reason for the Amendment. He would give one example to the House of a thing which might occur, and which might bring this question very much to the front. Suppose that some year there was a considerable rise in the price of wheat and barley. Hon. Members were perfectly well aware that there was a large amount of land at the present moment which no longer could be worked at a profit in growing corn. On the other hand, it produced an indifferent and inferior article, and would let at from 2s. 6d. to 5s. an acre. That land, if ploughed and cultivated, would certainly produce a rent of 15s. to £1 an acre. He wished to ask the House whether it was fair that the whole of that increase should go to the tenant. Undoubtedly the "inherent capabilities of the soil" were what would grow the wheat. It would not be wheat of five quarters to the acre, which would pay cultivation at present prices. It would only produce three-quarters to the acre. He saw no reason why such words should not be placed in the Bill, so that valuers should at all times know how to act.

MR. SEALE HAYNE (Devonshire, Ashburton) said he only wished to bring before the House his view of "the inherent capabilities of the soil." What did a tenant pay for when he paid rent? He paid for the inherent capabilities of the soil. If those capabilities were good he paid a high rent, and if they were bad he paid a low rent. There was no such thing as the inherent capabilities of the soil, because the soil without labour and without manure would produce nothing that was marketable. [Cries of "Oh!"] Certainly not. If they put by an acre of land and did not work it, that acre of land would produce nothing of any marketable value. The soil had no inherent capabilities unless worked by tenants. If these words were worth anything, and if they resulted in anything being got out of the tenant, it would really be robbing him.

MR. PHILIPPS (Pembrokeshire): I do not pretend to be quite certain what effect the omission of these words will have, but the right hon. Gentlemen in charge of the Bill, as far as I understood him, assured the House that whether or not the words are in the Bill will make no difference in the minds of the valuers, and he proposes to leave them out only as being more or less immaterial. It is possible that may be so, but for my own part I have some hope that if these words are omitted valuers will be inclined, from the very fact of their omission from this Bill, while they were inserted in a previous Bill, to give to the outgoing tenant a larger sum as compensation than they would have been inclined to give. I therefore hope the Government will stick to their guns and insist that these words should not be added to the clause. I desire to take this opportunity of putting in a protest against some of the arguments by which this Amendment has been justified. The hon. Baronet the mover gave us what he evidently considered was a most shocking example. He said that unless the Bill was safeguarded by these words a case might happen in which a man took a farm with even as much as one hundred acres of swamp upon it—swamp that was absolutely useless—and by altering the course of a river turned that swamp into most valuable land. That is the way the hon. Baronet looked at it, but it seems to me, looking at it from the Liberal point of view—and I fancy most agricultural constituencies, whether they return Liberals or Conser-

vatives to this House, will have much the same opinion—that if a man takes a farm which has an acre of swamp, worth practically nothing to anybody, and by turning the course of a river or stream makes that swamp into good meadow land, the man is fairly entitled to every penny the land is worth.

SIR CHARLES WELBY: But he may reclaim a thousand acres.

MR. PHILIPPS: Suppose a man improves one acre of land, he is entitled to compensation. Why is he less entitled if he improves a thousand acres? It has been laid down that a man benefited his country if he made two blades of grass to grow where one blade grew before. But the man who drains a swamp makes many hundreds of blades to grow where only one grew before, and if the man who makes two to grow is a benefactor to his country, the man who makes a hundred to grow is much more a benefactor. This may shock the hon. Baronet; he appears to think it may be reasonable that a man who reclaims one acre of bog should get compensation, but he speaks of the possibility of a man getting compensation for reclaiming a thousand acres as a very terrible thing. If it is a good thing to reclaim an acre surely it is a better thing to reclaim two acres, and a far better thing to reclaim a thousand, and the man who does such a deed certainly deserves every penny of the advantage his labour or skill has given to the land. After all, it is not generally such an easy thing to drain land, and if a man has the skill to drain a thousand acres of bog land on a remunerative basis—that is, so that the land is worth more than the amount he spends in draining it—he certainly is entitled to all the credit and advantage. That is my view of the principles on which the House ought to legislate, and if the omission of these words will lead to the man who drains land getting the benefit I earnestly hope the House will condemn the Amendment. I dissent altogether from the arguments of the noble Lords sitting opposite. I say that a tenant ought to get the benefit of any improvement to the value of the holding when he leaves it, which is due to inherent capabilities of the soil. My right hon. friend the Member for the Ashburton Division put the matter very clearly. What is it that a man pays for when he takes land? Some men rent land at 5s. an acre, and some rent land at £2 an acre—grass-land in a similar county, one part being poor and the other rich grass-land. What does a man pay for if he pay £2 rather than 5s. an acre? Surely he pays for "the inherent capabilities of the soil"? I say that he is entitled to the benefit of those capabilities, and it would be most unjust if, by such an Amendment as the hon. Baronet proposes, the tenant was shut out from these advantages. As regards some of the matters in the first schedule of this Bill, unless a man is benefited by the improvement of the soil I cannot understand how a valuer can give compensation. The tenant can only get compensation if the land is benefited and gives increased crops. I hope the Government will stand to their guns and refuse to accept this Amendment. If the Amendment is accepted the heart of the Bill will be struck out, and it will be nothing more than a mockery and a sham.

MR. HEYWOOD JOHNSTONE (Sussex, Horsham) thought the ingenuity and eloquence of the hon. Member for Pembroke had been somewhat misapplied. The practical question they had to decide was not whether these words were wisely introduced in the Agricultural Holdings Act of 1883, but whether their extrusion from the existing law at the present time might not have an injurious and unfair effect upon the rights of the owners of the soil. If these words were retained from the Act of 1883, it would enable the arbitrator to give something to the tenant which he was not entitled to give him at present. He laid very little stress himself upon these words, and he was quite prepared to admit that it was a very difficult thing to translate them into pounds, shillings, and pence. If they had never been in the Act of 1883, he did not think that he should have voted for leaving them in this Act. But there they were, and so far they had worked no injustice, and if there had been ambiguity it had not been followed by any serious consequences. The question was whether the words should be taken out or not. He thought some further reason should be

given for taking them out. Let the House look at the matter in a plain and simple way. They were not dealing for the moment with existing tenants. The tenant paid for the inherent capacities of the soil in the shape of rent. He took his farm upon certain terms—it might be from year to year, or for a longer period—but as long as he had the farm he had the use of the inherent capacities of the soil to treat as he liked, with the assistance of his skill, his capital, and his labour. Therefore, the tenant got what he bargained for. Then they came to the position of things between the parties when the contract was at an end. It was right that the tenant should be compensated for what was due to his own exertions and industry and his capital, and the present Bill gave compensation for those matters. But when it came to putting into his own pocket money which, by the very wording of this clause, was due not to what he had done, but to the inherent capacities of something which belonged to another man, and the use of which he had had for a certain period of time, and for which he had paid, then he thought that was not the tenant's property, but the property of the landlord. For what those words were worth, he thought it was a pity to throw them away in the present Bill. He somewhat regretted that those words were ever introduced in the Bill of 1883, but being there, the question the House was called upon to decide was, whether it was right and wise to abandon them, and thus open a loophole which would enable an arbitrator to give a tenant compensation not for what he had done, but for what was really and truly the property of the landlord.

MR. HALDANE (Haddingtonshire): I do not gather from the speech of the right hon. Gentleman who has charge of this Bill that in maintaining the omission of these words he was animated by any particular abstract principle. On the contrary, I gather that there was no principle of any sort at the back of his opposition, and if any justification is wanted of the practical sagacity of the hon. Gentleman in trying to get rid of these words it is to be found in the debate which has taken place. I cannot help thinking that the House has discussed this question in a somewhat innocent fashion. Hon. Members have spoken as if this was some virgin soil which they could till, and there has been in addition the argument about "inherent capabilities." They leave out of account the fact that what they are contemplating is ground which has already been discussed. This very question gave rise to the famous case of "Adams v. Dunseath," and I for one contemplate with abhorrence the notion that the controversy which that case let loose in Ireland should now be let loose on this side of St. George's Channel. As that controversy was entirely the outcome of these words, I think the only practical expedient for us to adopt now is to omit them. It is a great delusion to suppose that the practical man who comes to value the improvements of the tenants takes into account the inherent capabilities of the soil. On the contrary, what he does is, not to think of the inherent capacities of the soil, but to apportion the value of the improvements between the labour of the tenant and something which is the subject-matter on which he has been operating. The valuer is generally some practical farmer with a great knowledge of agriculture and valuations, and he asks himself, what has the tenant substantially contributed to the improvement of the farm? So far from drawing a distinction between the inherent capacities of the soil and the labour of the tenant, he does nothing of the sort. He makes no such distinction, because it is a purely metaphysical one, and it has no practical value. In considering what the tenant does to add value to the soil, some account of course must be taken of what is due to the inherent qualities of the soil. The tenant would not have occupied the soil unless he believed it had some inherent qualities of which he could take advantage. On the other hand, to imagine that there is some hard-and-fast line to be drawn between what is due to the inherent capacities of the soil and what is due to the labour of the tenant is really raising a figment of the imagination of philosophers and lawyers. I object to introducing a figment of philosophers and lawyers into this controversy between landlord and tenant. The practical man is quite capable of dealing with this question, and of distinguishing between what is due to the inherent qualities of the soil and what is due to the tenant; he will take a broad view, and consider whether a particular tenant

has, by his labour and his money, made an improvement of that kind which the Act of Parliament lays down. The Act of Parliament is not one which embodies any abstract principle, and I never knew any Act which did embody an abstract principle which anybody could understand; and least of all does the Agricultural Holdings Act provide any logical basis which would enable the unfortunate valuer to consider the subtleties which were raised by the noble Lord the Member for South Kensington. The valuer has to look at these things from a business point of view, and if he were instructed otherwise I should protest against him being made arbitrator in the controversies under this Act, because he would not be fit for the duties imposed upon him. Heaven forbid that we should place any such burden upon the back of the unfortunate arbitrator as was raised in "Adams v. Dunseath." There is not very much chance of the arbitrator making a mistake, and if he does no court of law would endeavour to correct him, and because these words seem to introduce ambiguity into what is otherwise quite clear I think the Government have acted wisely in omitting those words.

MR. VICARY GIBBS (Hertfordshire, St. Albans): I think it comes rather strangely from the hon. and learned Member for Haddington that he should charge hon. Members on this side with being philosophers and lawyers. But, to turn to the more serious part of his speech, he very properly pointed out that this was anything but virgin ground, and that these questions had all been gone through in 1883. It must have amused the older hon. Members of this House to hear the way in which this subject was dealt with by my noble friend behind me. There is one remarkable difference between the state of things which existed in 1883 and now, and it is that whereas everyone of the right hon. and hon. Gentlemen on the Treasury bench voted "aye" in 1883, they propose to vote "no" now. I do not suppose that I can raise a blush on the cheek of an official, but I think this fact fully justifies us in asking for some further explanation for the complete change of front which has taken place. These words which we desire to retain were introduced by the Chancellor of the Exchequer, and were strongly supported by the First Lord of the Treasury, and now the right hon. Gentleman in charge of the Bill says they are unimportant, and he also says that the Chancellor of the Exchequer has come to the same conclusion. I observe that the Chancellor of the Exchequer is not present to face the music, and he has not come forward to explain why he pressed the House to carry in 1883 words which he now considers unimportant and mischievous. But why are these words mischievous? We asked the right hon. Gentleman to explain, and all he could tell us was that some eminent valuer had said they were mischievous. A man might be capable of estimating what was fair between landlord and tenant, and yet not be a safe guide for us in a matter of legislation, and I really think we ought to have some explanation from a member of the Government as to what is the mischief and what is the harm which the words proposed by the present Chancellor of the Exchequer have done. What was the great mischief he did to the country by his proposal? I should like to have that question answered. What does the right hon. Gentleman say? He says that every valuer will act exactly as if these words were there, and that it is the only honest course to take. The hon. Member opposite proceeded to say that there was no inherent value in land. That proposition is a most ridiculous one. It would be just as reasonable to say that any farmer could grow just as good a wheat crop on the floor of this House as upon any piece of land of the same size in the country. The proposition is so ludicrous that I am surprised to hear the hon. Member defend it. If the words which existed in this Bill were carried out by the valuers it would be a robbery. The right hon. Gentleman proposes to leave out those words because he says that robbery will continue whether the words are there or not. I cannot help saying that the right hon. Gentleman is playing into the hands of people who differ from him absolutely upon this question. The right hon. Gentleman showed something less than his usual prescience when he expressed official astonishment that there should be any objection to the omission of these words. It never occurred to the right hon. Gentleman that the words introduced by a leading member of this Government and

supported by the Leader of the House, and which were produced as a protection and safeguard to the landlords against robbery, would be defended by anybody in this House, and he did not think we should take the trouble to protest against such a motion.

*SERJEANT HEMPHILL (Tyrone, N.): I am induced to make a very few observations and to interpose in this interesting debate by the reference which has been made by my hon. and learned friend the Member for Haddington to the celebrated historic case of Adams *v.* Dunseath. I am very glad to see my hon. friend on the front Ministerial Bench, who is very familiar with that case. He will probably follow me, and if I say anything which does not commend itself to his logical mind perhaps he will be good enough to correct me. I confess that I am rather inclined to favour the insertion of those words, but on grounds altogether different from those which commended themselves to the noble Lord who so ably and eloquently defended this Amendment, and on grounds different from those put forward by the hon. Members who have supported him. Those words do not occur at all in the Irish Land Act, for there are no cognate words referring to the capabilities of the soil in that statute. The difference arose to some extent from those words not occurring. On the one hand the landlord contended that all the tenant was entitled to was the actual capital expended on his improvements, with interest say at 5 per cent. from the time the capital was expended. That was one pole of the question. On the other hand, what was contended for by the tenant was that the landlord was only entitled to what was termed and became a historic phrase—that is, the prairie value of the land. That is there was the prairie value on one hand and the capital value and interest on the other. I confess that in Ireland the question of the prairie value would be very different to what it would be in England. If we went back to what was done by the tenants in Ireland it would be found that the land was actually reclaimed from its wild and prairie state by the exertions, the labour, and the industry of the tenants from generation to generation. That is not so in England, because the tenants do not go back in that way. There have been leases in England, and it can easily be ascertained what was the state of the soil when the tenancy commenced. My idea is, that if you leave in these words they will at once challenge inquiry as to what the precise measure of compensation that the tenants should get is, and it will prevent the arbitrator from applying that very valuable standard of common sense which is so popular with everyone when they can clearly understand the meaning of it. But there is nothing more dangerous, in my opinion, than common sense. It is very frequently a convertible term with the particular opinions of the person who applies it, which are often chimerical, and which lead to obvious errors. My idea of the effect of this Amendment is this: Dean Swift said that the man who made two blades of grass grow where only one grew before was a benefactor to his country. That is the principle on which I go. If a man makes two blades of wheat grow where only one grew before, what would justice and equity say? Why, that he should have one blade for himself, and the landlord should have the other blade for allowing him the use of the soil. I defy the right hon. Gentleman the Member for West Derby, with whose logical and metaphysical powers the House is so familiar, to meet that argument. Supposing a tenant makes two blades of wheat grow where no wheat at all would have grown but for the exertions of the tenant. Is the tenant to get the two blades, and is nothing to remain for the landlord but the value of the virgin soil upon which the two blades grew? This is what creates the difficulty. If the land was not there, you might as well attempt to grow wheat on the floor of this House. The only true solution is, I think, that the tenant ought to receive compensation for every improvement he has applied to the soil, and all the landlord should get is the value of the uncultured and uncultivated soil at the time the letting was made. I will not trouble the House any further, and I should not have spoken at all but for the fact that the case of Adams *v.* Dunseath was mentioned, and I may say that the case is still *sub judice*, and is as far from a solution as ever it was.

MR. GIBSON BOWLES (Lynn Regis): We have been told in this debate that common sense is the most injurious quality a man can possess, and that no soil possesses any inherent capabilities. I rise mainly because I am anxious to defend the Chancellor of the Exchequer, in his regrettable absence, against the attack of the hon. Member for St. Albans, who has complained that the Chancellor of the Exchequer proposed a clause in the original Act, and is not here to prevent its extrusion by the Government of which he is a member. Does the hon. Member forget the difference between being in opposition and being in power? I think the hon. Member for St. Albans should remember that when a distinguished Member of this House is in Opposition he acts in accordance with his conscience and knowledge, and votes against nefarious schemes like the Finance Act of 1884, but when he comes into office his conscience is changed and "as bees on flowers alighting cease to hum," so on going into office Chancellors of the Exchequer are dumb. That is the explanation. The right hon. and learned Serjeant opposite spoke of this Amendment as if it proposed to insert something in the Bill. That, I assert, is a wrong way of putting it. The proposal of the Government is to leave something out. Let us remember that this Bill and the existing Act are one, and must be read one with the other, and everything that is done is subject to the provisions of both. If you repealed the existing law, and were starting anew, I think it would be arguable whether these words should be inserted, but the proposal apparently now is that we should leave out these words, while at the same time we keep them in, because we keep them in for reference but leave them out for legislative effect. Now, what is the result? The President of the Board of Trade told us that every arbitrator must have in mind the principle embodied in this Amendment—namely, that whatever is derived from the inherent capabilities of the soil should not be subject to compensation. He said that that principle must necessarily be in the mind of the arbitrator, whether we put in these words or not, but when an arbitrator comes to these two Acts, and the other nine Acts to which I will not now refer, he will have to consider them together. He will find in the first Act that he is directed not to take into account such part of the improvement made by the tenant as is justly due to the inherent capabilities of the soil, but he will also find that in the latest Act the Government, of malice prepense, have advisedly struck out these words, and he will take that as an overt direction to himself that he is no longer to proceed on the old Act but on the new. If you repealed the first Act it would be the cleaner way of doing it. Why not repeal all the nine Acts, and then set forth what you mean in a new Act? But, for reasons which we all know, the Government will not undertake that. Instead, the Government are legislating by allusion. They are superimposing the present Bill on the old Act, and are saying to the arbitrator, "We told you in 1883 that when you came to your arbitration you must not take into account in awarding compensation such part of the improvement made by the tenant as was justly due to the inherent capabilities of the soil. Now, in the Act of 1900 we leave out in the most marked manner the clause giving that particular direction." Would not any arbitrator, any man of common sense, even any lawyer, say at once, "Oh, I understand what is meant. In 1883 I was told to take into account the inherent capabilities of the soil, but in 1900 I have not got to do anything of the kind." It is as plain as a pikestaff. One other point. In the list of improvements in the schedule there are very few indeed to which this clause would apply. It would not apply to the putting up or taking down of fences or the erection or enlargement of buildings, and I do not think it would apply to "warping or weiring of land," a cryptogram which I hope in due course will be explained. If hon. Gentlemen will go through the list, they will find very few improvements in which the inherent capabilities of the soil are involved at all. That being so, the principle is not a very large one. It is undoubtedly a just one, and was recognised as such by that great and most eminent professor of justice the Chancellor of the Exchequer, in 1883, though I am perfectly certain that, if by the merest accident the right hon. Gentleman were not away at the present moment, although he was here most of the afternoon, he would not now defend it. I do not know why he has changed his opinion. It is true that

he has sold his land, though that may not have altered his principles. At any rate, he is not here to defend the abandonment of a principle he maintained in 1883, and which with great difficulty he embodied in the Act of that year. When such a course is proposed, it demands adequate justification, and no such justification has been yet given. We have been told that the arbitrator will bear the principle in mind, but I have endeavoured to show that he will take the omission of these words as a direction that he is not to have the regard for them which he was required to have by the Act of 1883. Consequently, in my opinion no case whatever has been made out for the omission.

CAPTAIN PRETYMAN (Suffolk, Woodbridge): I only desire to say a few words in order to bring the discussion back to a practical issue. After all, the question we have to decide is whether it is really necessary, for the protection of landlords against unjust claims, that these words should remain as they were in the Act of 1883. I have listened very carefully to this debate, and the one consideration which inclined me to support this Amendment was the line taken by hon. Members opposite, who seemed to hope that the omission of these words would enable an entire change to take place. One hon. Member even stated that the whole value of the Bill would be destroyed if the words were inserted, and evidently a great deal of importance is attached to them. However, we have the assurance of my right hon. friend in charge of the Bill that he has no such intention as is evidently entertained by hon. Members opposite, but I do not think that we can attach very much importance to that, because after all it is not intentions, but words and the interpretation of words, we have to consider. When we come to the particular point as to what the landlords risk by leaving out these words, it will be seen that the risk is limited to the first schedule of the Bill. In the case mentioned by my hon. friend of ploughing up a field to convert it into wheat land, there would be no claim for compensation under this Bill in respect to that particular matter, and as regards the other case of the diverting of a river, that is not in the schedule at all, or, if it is in the schedule, it would come under "watercourses," where the consent of the landlord would be required, and he would therefore be able to protect himself. The possibility of injury to the landlord is confined to the third part of the first schedule, but I think where a tenant cultivates land as a mere matter of cultivation he is entitled to any improvement which he may hand on to the landlord. After all, that is the foundation of the Bill. If the cultivator improves the landlord's property he is to be entitled to the value of that improvement, which the landlord is able to charge the next tenant for. Therefore I do not think that taking out these words is likely to injure the landlords. Then is there any advantage in taking them out? I think there is. I do not think that their being in really affects the matter of compensation one way or the other, but, as was so ably pointed out by the hon. and learned Member for Haddingtonshire, they would really confuse the mind of the valuer. I cannot imagine anything more difficult than two valuers, one taking into account these words and the other not considering them, endeavouring to arrive at the value of a farm. One may argue that all the improvements are due to the inherent capabilities of the soil, and the other may argue, not I think very forcibly, that they are all due to the farmer. Therefore you get great confusion in practice; and, after all, the advantage of keeping these words in is not great. Speaking from a practical standpoint, I think on the whole that it is desirable that they should be omitted.

LORD HUGH CECIL: I congratulate my hon. friend on having brought back the discussion to a more serious vein. We have heard a lesson in political economy from the hon. and learned Member for Haddingtonshire in his character as a man of common sense, and we also listened to the right hon. and learned Gentleman describing the celebrated case of Adams *v.* Dunseath, and though we might unbend in the gravity of our discussions a little, I think it is important that we should make it clear that this Amendment has a serious side, and that

it was not moved for the purpose of pointing out any supposed inconsistency on the part of the Chancellor of the Exchequer or of dwelling on those other more humorous sides developed in the course of the debate. It appears to us to contain a principle of importance, and I confess that it is my opinion that the Amendment is one which ought to be included in the Bill. It cannot be shown that any harm will result from it, and it could not confuse the mind of an arbitrator who was capable of understanding the words of the Amendment, which have a very plain meaning to a man of common sense. The President of the Board of Agriculture brought forward a long catalogue of cases which this clause would affect, but he did not produce one solitary atom of evidence that it had ever produced the smallest evil in the past. When you come to the other side of the question, it is remarkable that its omission has been accepted by hon. Members opposite as making a great change. One hon. Member went so far as to say that the Amendment would knock the heart out of the Bill if it were accepted, and several hon. Members have been at pains to argue that it ought not to be accepted, but I cannot understand why these words should not be put into the Bill to carry out the intention which the Government admit they have. I cannot believe it is safe to leave words out now which have been in the Act up to the present. Would any arbitrator understand that the deliberate omission of these words meant nothing whatever? What kind of an arbitrator would he have to be? According to the Government he would have to be a person not able to understand very plain words, or not even able to attach any importance to the deliberate omission of important words. In fact, the Government are relying on the natural incapacity of the arbitrator. The safest course is to accept the Amendment. It cannot do any harm, and may be very important. If the Government have some verbal criticisms, which prevent them from approving this particular form of words, let the words be put in now, and they can be amended in another place. It is most unsafe to leave out words which have been in an Act of Parliament for several years, and which every arbitrator is familiar with, in order to start arbitrators on a new course of procedure. Let us retain the words, and we may rely on it that the arbitrators will understand them in the future as they have understood them in the past.

Lord Hugh Cecil

*Mr. LOYD (Berkshire, Abingdon) said it appeared to him that the hon. Member for King's Lynn, in the references which he had made to the Chancellor of the Exchequer, had forgotten that when the Act of 1883 was introduced, the existing Act, that of 1875, provided a method of compensation by taking the outlay as a starting point, and then deducting so much for each year that had elapsed since the outlay. Then the Act of 1883 introduced for the first time the principle of giving as compensation to the outgoing tenant what the improvement was fairly worth to the incoming tenant. On that change there was a good deal of apprehension lest more should be given than was justly due to the efforts of the tenant, and the present First Lord of the Treasury proposed to meet the danger by saying in no case should the compensation exceed the outlay. That was objected to, and the Chancellor of the Exchequer proposed to get over the difficulty by introducing the words which were the subject of the present discussion. But since those words were inserted in the Act of 1883 they had had a mass of evidence from valuers and agriculturists against their retention, and had also witnessed the subtle and expensive controversy in the case of Adams *v.* Dunseath. They were not, therefore, now in the same position as in 1883. For his own part, he saw nothing inconsistent in the right hon. Baronet proposing those words at that date and being quite willing to assent to the course now proposed by the Board of Agriculture on the advice of their skilled advisers and after the experience of the intervening years. The words in question were from the outset regarded with misgiving. They were dangerous because on the one hand they might mean nothing but what every arbitrator would see for himself if he applied his mind to decide what was the fair value to the incoming tenant, who, if the improvement had not been made, would have received the land with its inherent capabilities; but, on the other,

they might gravely embarrass a sensitive and cautious arbitrator who felt it difficult to consider anything as an improvement to which the inherent capabilities of the soil had not responded. He should support the Government in declining to accept the Amendment.

MR. ALEXANDER CROSS: I hope that the President of the Board of Agriculture will adhere to the attitude he has taken up as regards this matter. Hon. Members who have spoken have forgotten that public opinion has developed enormously since the time compensation was first given for tenants' improvements. We are now familiar with the fact that these provisions have worked without any injury to the landlords' interests, and for the protection of the tenants' interests. Perhaps I may be permitted to say that the aspect presented by the House of Commons in discussing a very grave and serious matter of this kind has not been such as agriculturists will regard with favour. This Bill may be called the charter of the tenant farmers, and I can assure my noble friend that there is no proposal that will be looked upon with greater suspicion than the proposal to revive words which have been looked upon with the greatest aversion. The confusion which has attended the attempts of lawyers to explain these words is, in my opinion, a most convincing reason why this House should not have any more to do with them.

Question put.

The House divided:—Ayes, 24; Noes, 186. (Division List No. 204.)

AYES.

Anson, Sir William Reynell
Bemrose, Sir Henry Howe
Bowles, T. Gibson (King's Lynn
Butcher, John George
Cecil, Evelyn (Hertford, East)
Cecil, Lord Hugh (Greenwich)
Digby, John K. D. Wingfield-
Finch, George H.
Gedge, Sydney
Gibbs, Hon. Vicary (St. Albans
Hatch, Ernest Frederick Geo.
Johnstone, Heywood (Sussex)
Lecky, Rt. Hon. William E. H.
Lopes, Henry Yarde Buller
Lucas-Shadwell, William
Malcolm, Ian
Moon, Edward Robert Pacy
Nicholson, William Graham
Pilkington, R. (Lancs, Newton)
Pym, C. Guy
Robertson, Herbert (Hackney
Sidebottom, T Harrop (Stalybr.
Sidebottom, William (Derbysh
Willoughby de Eresby, Lord
TELLERS FOR THE AYES—
Sir Charles Welby and
Earl Percy.

NOES.

Acland-Hood, Capt. Sir Alex. F.
Arrol, Sir William
Ashton, Thomas Gair
Atkinson, Rt. Hon. John
Austin, Sir John (Yorkshire)
Baird, John George Alexander
Balfour, Rt Hn Gerald W (Leeds
Banbury, Frederick George
Barlow, John Emmott
Bartley, George C. T.
Bayley, Thomas (Derbyshire)
Beaumont, Wentworth C. B.
Billson, Alfred
Blakiston-Houston, John
Bolton, Thomas Dolling
Bond, Edward
Boscawen, Arthur Griffith-
Brassey, Albert
Broadhurst, Henry
Buchanan, Thomas Ryburn
Bullard, Sir Harry
Burns, John
Burt, Thomas
Caldwell, James
Carson, Rt. Hon. Sir Edw. H
Cavendish, V. C. W. (Derby.)
Chamberlain, Rt. Hon. J. (Birm.
Chamberlain, J. A. (Worc'r.)
Chaplin, Rt. Hon. Henry
Charrington, Spencer
Coghill, Douglas Harry
Collings, Rt. Hon. Jesse
Colville, John
Cook, Fred. Lucas (Lambeth)
Corbett, A. Cameron (Glasgow
Cornwallis, Fiennes Stanley W.
Cox, Irwin Edward Bainbridge
Cross, Alexander (Glasgow)
Dalkeith, Earl of
Davies, Sir Hor. D. (Chatham
Davies, M. Vaughan-(Cardigan
Denny, Colonel
Dillon, John
Doogan, P. C.
Douglas, Rt. Hon. A. Akers-
Dyke, Rt. Hon. Sir Wm. Hart
Emmott, Alfred
Fardell, Sir T. George
Farquharson, Dr. Robert
Fellowes, Hon. Ailwyn Edward
Fenwick, Charles
Field, Admiral (Eastbourne)
Finlay, Sir Robert Bannatyne
Fisher, William Hayes
FitzGerald, Sir Rbt. Penrose-
Fitz Wygram, General Sir F.
Flavin, Michael Joseph
Flower, Ernest
Galloway, William Johnson
Garfit, William
Gilliat, John Saunders
Goddard, Daniel Ford
Godson, Sir Augustus Fred.
Goldsworthy, Major-General
Gordon, Hon. John Edward
Gorst, Rt. Hn. Sir John Eldon
Goschen, George J. (Sussex)
Greene, Henry D. (Shrewsbury
Greville, Hon. Ronald
Griffith, Ellis, J.
Gull, Sir Cameron
Gurdon, Sir William Brampton
Haldane, Richard Burdon
Hanbury, Rt. Hon. Robert Wm.
Hanson, Sir Reginald
Hayne, Rt. Hon. Charles Seale-
Hedderwick, Thos. Charles H.
Henderson, Alexander
Hermon-Hodge, R. Trotter
Hobhouse, Henry
Holland, William Henry
Hornby, Sir William H.
Horniman, Frederick John
Houston, R. P.
Hutton, John (Yorks, N.R.)
Jeffreys, Arthur Frederick
Kenyon-Slaney, Col. William

Keswick, William
Knowles, Lees
Lawrence, Sir E. Durning-(Corn
Lawson, John Grant (Yorks.)
Lawson, Sir W. (Cumberland)
Leese, Sir Jos. F. (Accrington
Lewis, John Herbert
Llewelyn, Sir Dillwyn-(Sw'ns'a
Loder, Gerald Walter Erskine
Long, Rt. Hon. W. (Liverpool
Lonsdale, John Brownlee
Lowles, John
Loyd, Archie Kirkman
Macaleese, Daniel
Macartney, W. G. Ellison
Macdona, John Cumming
Maclure, Sir J. William
M'Arthur, Charles (Liverpool)
M'Arthur, William (Cornwall)
M'Crae, George
M'Ghee, Richard
M'Killop, James
M'Leod, John
Maddison, Fred.
Milner, Sir Frederick George
Milward, Colonel Victor
Molloy, Bernard Charles
Moore, William (Antrim, N.)
More, Robt. Jasper (Shropshire
Morgan, J. Lloyd (Carmarthen
Morrell, George Herbert
Morrison, Walter
Morton, Arthur H. A. (Deptford
Mount, William George
Mowbray, Sir Robert Gray C.
Muntz, Philip A.
Murray, Rt Hn A Graham (Bute
Norton, Capt. Cecil William
Nussey, Thomas Willans
O'Brien, Patrick (Kilkenny)
O'Malley, William
Parkes, Ebenezer
Philipps, John Wynford
Pickard, Benjamin
Pickersgill, Edward Hare
Pilkington, S'r Geo A (Lancs SW
Platt-Higgins, Frederick
Powell, Sir Francis Sharp
Pretyman, Ernest George
Price, Robert John
Provand, Andrew Dryburgh
Pryce-Jones, Lt.-Col. Edward
Purvis, Robert
Reckitt, Harold James
Rentoul, James Alexander
Round, James
Runciman, Walter
Russell, Gen. F. S. (Cheltenham)
Russell, T. W. (Tyrone)
Samuel, J. (Stockton-on-Tees)
Sharpe, William Edward T.
Shaw, Charles Edw. (Stafford)
Shaw-Stewart, M. H (Renfrew)
Sinclair, Capt. John (Forfarsh.
Skewes-Cox, Thomas
Smith, Abel H. (Christchurch)
Smith, J. Parker (Lanarks.)
Smith, Hon. W. F. D. (Strand)
Stanhope, Hon. Philip J.
Steadman, William Charles
Stevenson, Francis S.
Stone, Sir Benjamin
Strauss, Arthur
Sturt, Hon. Humphry Napier
Sullivan, Donal (Westmeath)
Tanner, Charles Kearns
Thornton, Percy
Tollemache, Henry James
Tomlinson, W. E. Murray
Walton, Joseph (Barnsley)
Warde, Lieut.-Col. C. E. (Kent
Warr, Augustus Frederick
Wedderburn, Sir William
Weir, James Galloway
Whiteley, H. (Ashton-under-L.
Williams, Colonel R. (Dorset)
Williams, J. Carvell (Notts.)
Williams, Joseph Powell-(Birm
Wilson, John (Durham, Mid)
Wilson, John (Falkirk)
Wilson, John (Govan)
Wilson, J. W. (Worcestersh. N.
Woodhouse, Sir J. T. (Hudd'rs'd
Woods, Samuel
Wylie, Alexander
Wyndham, George
Young, Commander (Berks, E.
Younger, William
Yoxall, James Henry

TELLERS FOR THE NOES—Sir William Walrond and Mr. Anstruther.

MR. HALDANE said he moved the Amendment standing in his name with a strong sense that the Government, in inserting Sub-section 4, Clause 1, had made a really honest attempt to meet a difficulty. But it seemed to him that while it would meet the difficulty in some fashion, it ran counter to the principle of the Bill, which was the abolition of all penal clauses. The sub-section, as it left the Grand Committee, was as follows—

"In the ascertainment of the amount of the compensation payable to a tenant in respect of manures as defined by this Act, there shall be taken into account the value of the manure required by the contract of tenancy or by custom to be returned to the holding in respect of any crops sold off or removed from the holding within the last two years of the tenancy or other less time for which the tenancy has endured."

Now, that left it open to the landlord who desired to prevent the sale of way-going crops—a thing which the tenant had a perfect right to do—to defeat that right by putting in a stipulation that the tenant should not be entitled to sell his way-going crops except on condition of putting on the land, say, 1,000 tons of manure. Accordingly, the result would be that the tenant's claim for compensation in respect of unexhausted manures would be wiped out, contrary to the intention of the Bill. He quite admitted that the Government had a good motive in bringing in that sub-section. As the law stood under the old Act the tenant had to submit to a deduction, which was assessed on a principle which, however fair to the tenant, was purely hypothetical, and gave no guidance to the arbitrator. In substance the tenant was entitled to compensation for unexhausted manures, but subject to the deduction of an amount which the arbitrator might think would be equivalent to the consumption on the holding of the way-going crops in the ordinary course of good husbandry. The objection to the Act of 1883 was that it put on the arbitrator the burden of making his calculations on a hypothetical basis of fact. The Government, wishing to get rid of that difficulty, put in this clause to make it a matter of bargain; but the draftsman overlooked the fact that the effect of so doing was to penalise the tenant who sold his way-going crops. He confessed that, having meditated over this subject a good deal, he could not think the Government

proposal was satisfactory. He recognised the difficulty of the old clause; but he also saw very clearly the difficulty of the new clause inserted in Grand Committee. The arbitrator was to ascertain the manurial value of the way-going crops. He objected to the introduction into the English language of such a phrase as "manurial value." It seemed to him that the calculation of manurial value involved a problem to the arbitrator as great as a calculation on a hypothetical basis of fact. Probably the least evil would be to go back to the policy of the old Act. If his Amendment were accepted, Sub-section 4 of Clause 1 would read as follows—

"In the ascertainment of the amount of the compensation payable to a tenant in respect of manures as defined by this Act there shall be taken into account the value of the manures that would have been produced by the consumption on the holding according to the rules of good husbandry of any crops sold off and removed from the holding within the last two years of the tenancy, or other less time for which the tenancy has endured, except in so far as a proper return of manure to the holding has been made in respect of such produce so sold off or removed."

He hesitated to assert that that represented the "good common sense" desiderated by the noble Member for Greenwich; but it was common sense, and just what a good arbitrator would do. He was sure it was the best basis on which they could work, and he could not help thinking that if the Government were to consider the matter a little longer they would agree to it. He would, however, be perfectly content if the right hon. Gentleman would undertake, before the Bill came up in another place, to devise some words which would restore the sounder basis of the old state of the law, with such additions as would get rid of the puzzling calculations the arbitrator had at present to make.

Amendment proposed—

"In page 1, line 23, to leave out the words from the word 'manure' to the word 'endured,' inclusive, in line 27, and insert the words, 'that would have been produced by the consumption on the holding according to the rules of good husbandry of any crops sold off and removed from the holding within the last two years of the tenancy, or other less time for which the tenancy has endured, except in so far as a proper return of manure to the holding has been made in respect of such produce so sold off or removed.'"—(*Mr. Haldane.*)

Question proposed, "That the words 'required by' stand part of the Bill."

*MR. LONG: The description which the hon. and learned Gentleman has given of the history of the Amendment is quite accurate. The difficulties which arose were practical difficulties. When the Act of 1883 was passed it was no doubt the general practice for tenants to enter into an agreement which precluded them altogether from selling off their way-going crops. There are now three different positions in regard to this matter. Under the first the tenant is absolutely prohibited from the sale of the way-growing crops. Second, he is allowed to sell, subject to the replacement of manures of equivalent value; and third, he is given a free hand. If the hon. and learned Gentleman's Amendment were adopted a fresh difficulty would arise; because if the tenant exercised his undoubted right to sell, yet the fact that he had sold would have to be considered in adjudicating his claim for compensation, and therefore he would be penalised by the adoption of these words as they stand. The words adopted by the Government in endeavouring to meet the three different cases are unquestionably open to the construction which the hon. and learned Gentleman has placed upon them. Undoubtedly the hon. and learned Gentleman is right in saying that one of the main objects which the Government had before them was to get rid of the penal clauses; and by Clause 6 of this Bill the penal clauses are practically got rid of, with, of course, certain limitations. It certainly is true that under Sub-section 4 of this clause, as it left the Grand Committee, something of the form of a penal clause would be introduced, that is where the contract between landlord and tenant demands that where the tenant sells off his way-going crops he must put on manures in proportion to what he sells. It seems to me, as appears to the hon. and learned Gentleman, that it is extremely difficult to avoid one of the many difficulties that arise on this sub-section. Our object in amending this sub-section was to give to the tenant the right to which he is justly entitled, in whatever category of contract he comes, and to give to the landlord his just right

also, but at the same time not to make it possible for the landlord to make use of a system of penal clauses which by another part of the Bill is abolished. It must be remembered that this sub-section applies only to the last two years of the tenancy, and during these years it has always been held that the landlord is entitled to have a tighter hold over the tenancy, as to the methods of cultivation, than is necessary during the preceding period. At the same time, it is not the desire of the Government that this should enable the re-enactment of the penal clauses. I gladly adopt the suggestion of the hon. and learned Gentleman that if I find it possible to devise words which, while without in any way diminishing the value of what we believe would be the result of this sub-section, would prevent a revival of the old penal clause system, I shall be very glad on the part of the Government to adopt them.

MR. MOULTON (Cornwall, Launceston): No one who has heard the speech of the right hon. Gentleman can fail to feel that there is a most genuine desire on his part to meet the difficulty so very skilfully pointed out by my hon. and learned friend. The object is to give to the landlord his just right of not having the condition of the land let down during the last two years of the tenancy by selling off the way-going crops, and yet to leave the maximum of liberty in the hands of the tenant. Might I suggest to the right hon. Gentleman that the evil is introduced by the words "contract of tenancy"? It is not intended that, by any language in the contract of tenancy, we should get rid of those relations between landlord and tenant which are good for good husbandry. Might it not meet the difficulty if these words "contract of tenancy" were left out, and the clause made to read something in this way: "Shall be taken into account the value of the manure required by custom, or the requirements of good husbandry, to be returned to the holding in respect of any crop"? This would prevent the amount of manure which had to be put in during the last two years from being altered by any unreasonable requirements inserted in the contract of tenancy. I am perfectly satisfied that the object of the Government would not depend upon the fact that a grasping landlord would put in an unfair clause. The desire in all these restrictions on the tenant should only be to treat the landlord fairly.

MR. ALEXANDER CROSS said he desired to accentuate the advice which had been so well expressed by his hon. friend on the opposite side of the House. The House would, no doubt, be aware that very great interest in this subject existed in Scotland, and that the Scottish Board of Agriculture had carefully considered the question, and considered that a change was desirable. The crux of the whole question was in the words "contract of tenancy." He made these remarks because he did not think that Scotch farming was quite understood in this country. The tenants did not exercise proper control over the terms of the lease, and it was because the tenants were not in the habit of exercising that control that a Bill of this kind was necessary. If the tenants were in a position to exercise that control this Bill ought not to be brought in, because it was an interference between the landlord and tenant in freedom of contract; but it was because freedom of contract was not possessed by the tenant, and because his interests were such as ought to be conserved, not only from the tenant's point of view, but from the national point of view, that the Amendment should be considered and incorporated in the law of the land. Under the possibilities of the present system of "contracts of tenancy" there was serious reason to believe that the compensation given by this Bill might not find its way into the pockets of tenants. The President of the Board of Agriculture no doubt was desirous to give effect to that which this Bill professed to do in this matter, and therefore, on behalf of Scottish agriculture, he wished to support the Amendment.

MR. HALDANE said, in consequence of the very satisfactory explanation given by the right hon. Gentleman the President of the Board of Agriculture, he should not trouble the House by going to a division, and therefore begged leave to withdraw his Amendment.

Amendment, by leave, withdrawn.

*MR. CHANNING said the words which he proposed to move by his first Amendment he understood were not acceptable to the Scottish Chamber of Agriculture, and therefore he did not propose to move that Amendment. He proposed to move the second Amendment, the words of which followed line 27. The words that he proposed to move would form a continuation or an addition to the clause as it stood, and they had the warm appreciation of the Central Chamber of Agriculture and other agricultural bodies. It appeared to him there was very good reason for these words being added, but as he had not had the advantage of being present when the right hon. Gentleman the President of the Board of Agriculture had replied to the argument advanced by the hon. Member for Haddingtonshire, he was not quite sure whether any explanation had been made which would cover the special point raised by his Amendment. His Amendment sought to re-insert the words which now stood in the original Sub-clause 6 of the English Agricultural Act of 1883, which secured to the tenant the right to be compensated for any manure which had been returned to the holding during his tenancy. It seemed to him that that point should be covered in a Bill of this description, because unless it was covered the clause as it at present stood might operate very unjustly to tenants of agricultural holdings in the immediate neighbourhood of large towns, where to all intents and purposes freedom of cultivation and sale of produce ought to be, as was in practice, given to the tenants of the holdings. The practice in many of these cases was to let out farms without any contracts at all. As the clause stood upon the Paper undoubtedly those contracts of agreement introduced in the lease of land in the neighbourhood of towns might operate a great injustice to those producing vegetables from their lands and making, as they might easily be able to make, ample manurial returns to the land. The words that he proposed to move had been strongly desired by the Chamber of Agriculture to be re-inserted in the clause. He was bound to say, from the consideration that he had given during the last few weeks to the immense amount of letters that he had received upon this particular question, that the Bill was nearer a settlement of this great question than any that they had had before. All he desired to do was to strengthen the Bill which had been introduced.

Amendment proposed—

"In page 1, line 27, after the word 'endured,' to insert the words 'except so far as a proper return of manure to the holding has been made in respect of such produce so sold off or removed, or security has been offered or given by the tenant that such proper and adequate return of manure to the holding will be made at the proper season.'"—(*Mr. Channing.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL (Sir ROBERT FINLAY, Inverness Burghs) hoped that the hon. Gentleman would not press the Amendment. The ground which he was desirous of covering had been already dealt with by what had been said by the right hon. Gentleman the President of the Board of Agriculture; besides which, he was not at all sure that if the words which the hon. Gentleman proposed were inserted they would have the effect which was intended. Of course, all the manure which had been returned to the land would be deducted, and therefore he hoped that the Amendment would not be pressed.

*MR. CHANNING: His only object was to secure that that right should be given to the tenant. After the explanation which had been given by the right hon. and learned Gentleman, he begged leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

*MR. CHANNING said that the Amendment he now proposed to move raised a wholly different point. This was a subsection which he had hoped to move in somewhat different terms, upon the suggestion of the right hon. Baronet the Member for Wigtownshire, who had advised that the clause should be drawn in the form of the clause which was passed in the Scottish Act of 1877, the

Damage by Game Act of Scotland. That Act gave the tenant the right to claim compensation for the amount of damage by game in excess of the amount agreed upon between the landlord and the tenant in the contract of tenure; or where there was no agreement it provided that a certain specified sum should be paid in respect to the holding, and all damage that was proved to be done to the crops of the tenant by all kinds of game in excess of such amount should be allowed to the tenant. What is suggested here is that the tenant should be allowed during the last year of his tenure to claim and have such claim as was equitable and justifiable in the eye of the law allowed for all damage done by game to his crops. It was clearly desirable that this, like any other analogous claim, should be brought within the scope of the arbitration, and dealt with frankly and fairly for what it was worth at the time the arbitration was going on. They wanted to arrive at the most fair and amicable settlement between the parties as quickly as possible, and if the tenant could claim that damage had been done to his crops by game, it was desirable that that subject should be brought within the arbitration. The damage caused by game of all kinds was very considerable, and any claim for such damage ought to be fairly and fully dealt with. Those who had followed the course of events knew that just so far as depression had lowered agricultural rents there had been a corresponding extension of sporting tenancies, and an enormous head of game was often kept, and the sporting tenants were in some cases men who showed too little consideration for the farmers. From this there had resulted friction and loss to the farmers, which ought to be taken into consideration. There had been a certain number of cases brought to the attention of public men from time to time. There was an interesting case in South Oxfordshire, where there was an estate where the tenants wished to exercise their rights, and where there was an over-preservation of game. When the tenants wished to have their rights under the Ground Games Act they received notice to quit from the landlord. Other very similar cases had been reported, and this very serious grievance had been urgently pressed by many witnesses upon the attention of the Agricultural Commission during their sittings. The suggestion which he made was on the same principle and upon the same lines as the Act which was passed in 1877 for Scotland. It was couched in the most reasonable form, and if a settlement was to be arrived at in matters of this kind it could not be arrived at by a better method than by bringing those matters promptly and simply before the arbitrator who was to settle mutual claims between landlord and tenant.

Amendment proposed—

"In page 1, line 27, after the word 'endured,' to insert as a new sub-section the words, '(5) There shall be taken into account in augmentation of the tenant's compensation any sum which may be found by arbitration under this Act to be due to the tenant in respect of damage to crops by winged or ground game or deer during the last year of the tenancy.'"—(*Mr. Channing.*)

Question proposed, "That those words be there inserted."

*Mr. LONG said that the Amendment moved by the hon. Member proposed to give the tenants a claim for compensation for damage done by game which he could assert against the landlord. and so far they were on solid ground, but the hon. Gentleman assumed that the landlord was the person responsible for any damage done by game, and upon his shoulders it was proposed to throw the liability for damage caused by game over which he had no sort of control whatever. It was extremely unfair to him. Take the case of a small landlord who had no game. His tenants were to have a claim for damage done by game belonging to some large landowner in the immediate neighbourhood which came over and damaged his crops. He admitted that there were these scandals with regard to game, and they were one of the difficulties which the House of Commons had to meet in dealing with this question. In certain cases there no doubt was an over-preservation of game, and in certain cases there was damage done by winged game, but the greatest damage which was done was done by the rabbits, and as a rule the tenant had no difficulty in getting compensation for the damage which the rabbits had done. With winged game it was a different thing

altogether. There might be damage, but if there were he was of opinion that the liability for compensation should not rest upon the owner of the land, but the owner of the game.

*MR. WASON (Clackmannan and Kinross) wished to enter a protest against the way in which this Amendment had been resisted. Any person who had lived in the south-west of Scotland, with which he was intimately acquainted, knew perfectly well that the way in which to keep grouse on the moorland was by improving the moorland and taking a crop of oats off it, which prevented the grouse leaving the moorland and committing depredations on the lowland agricultural farms. What the tenant farmer did complain of was not so much of grouse, still less of partridges, but the enormous over-preservation of pheasants, which damaged the crops to a large extent, and for which, in his opinion, the landlord or his shooting tenant ought to pay compensation. The shooting rents had gone up, whilst agricultural rents had gone down. When the 12th of August approached people went mad to see how many grouse they could shoot. He was as fond of sport as anyone, but he thought it was carried to excess; and wealthy South Africans or Americans did little good to the community by the over-preservation of game, and giving employment for a few months during the shooting season to a few men. The principle should be adopted of giving the tenant farmer the absolute right to all game found upon the land. It that were done there would be more sport, better sport, and more game in the country than at present. The sporting tenant and the tenant farmer used to be absolutely and entirely distinct, but he was glad to say he now knew of many tenant farmers who had the shooting on their farms for which they were willing to pay, and he ventured to think that better shooting and better sport was never found in the country than when the tenant farmer had the same right to the winged game as he had to the ground game at the present time.

MR. HEDDERWICK ventured to suggest that his hon. friend the mover of the Amendment would be well advised if he withdrew it, and if the object which he had in view was desirable he should re-draft his Amendment. As he understood, the hon. Gentleman was desirous of placing upon the landlord the responsibility for the damage done to the crops by deer, winged and other game of various sorts, and that was upon the assumption that the game emanated from the ground of the landlord. But as the Amendment was drawn there was no security that the landlord's game would be held responsible for the damage done. A few years ago there was a suggestion made by an hon. Member of this House that all food coming from abroad should be labelled with the name of the place from which it had been produced. That proposal was not taken seriously in the House, because it was conceded that it would be a difficult thing to label every strawberry that came from France or the Netherlands. But if that was difficult to do, it was more difficult, in his opinion, to label every winged bird in the country, and he did not suppose that his hon. friend would obtain the object which he had in view by the Amendment, as it was impossible to put the responsibility upon the proper shoulders. This Amendment would make the landlord responsible for devastation done to crops, not by the game of the landlord at all, but by the game of an adjoining landowner who had over-preserved. He did not think those who proposed to support the Amendment seriously intended that the burden should be placed upon the wrong shoulders for the damage done by other people's game.

*CAPTAIN PRETYMAN said that the tenant had under the Ground Game Act an inalienable right to the rabbits, and therefore the effect of the Amendment would be that the tenant would be compensated by his landlord for damage done to his crops by his own rabbits.

MR. BUCHANAN hoped that his hon. friend would adhere to his Amendment as it stood, because looking at the matter in a broad light, the tenant who went before a Court for compensation for damage done to his crops had a right to claim for damage done by game of any sort. The Amendment limited the claim for damage

done by game to the last year of the tenancy, which was a very considerable limitation. Everyone knew that deer did a very great deal of damage to growing crops of the tenants of Scotland, and he ventured to think that this was an Amendment that ought to find a place in the Bill.

*Mr. MOULTON : I seriously hope that this Amendment will not be persisted in, for a more ridiculous suggestion could not be made. Just consider. We all of us feel that it is a very hard thing for a tenant farmer that his crops should be destroyed because his neighbours will not keep their birds and rabbits and other game to themselves, and any attempt to remedy that injustice I shall certainly support. But consider what this proposition means. The proposition is that in the last year of the tenancy the tenant can make his landlord pay for damage done by his neighbour's game. The greater part of the damage is done by game which the tenant has a right to shoot down and ought to shoot down, and the remainder is done by game which is preserved by somebody, but the landlord may have nothing to do with it. I can understand some men feeling so indignant at the tenant farmer being compelled to suffer from damage done by game as to come to the conclusion that the landlord should compensate him, and seek his remedy against the neighbours who are guilty of preserving the game. But if you are going to introduce a system of that kind, why confine it to the last year of the tenancy? Why not make it perpetual? There is no reasonable ground for saying that in the last year of the tenancy the landlord shall compensate the tenant for damage he has no connection with. Do not let us try to get from the Government consideration for Amendments like this. They can have no other meaning than a protest against the game laws. This session to-night is a practical one. We are trying to make the best of the Bill, but do not let us press to a division an Amendment which we do not feel is worthy of being put upon the English Statute Book.

Mr. Buchanan.

Mr. WEIR (Ross and Cromarty) supported the Amendment, and said that in the vicinity of the deer forests of Scotland the deer got into the crops of the tenant farmers and of the crofters and did an enormous amount of damage. If the crofters had the power to shoot the deer he could understand the principle of their not asking for compensation, but since they were debarred from the power of shooting the brutes, why should not the owner of the deer pay a fair compensation for the damage that the deer had done? He had heard it said that the tenants should put up fences in order to keep the game out, but in the case of deer they would require to put up fences of seven or eight feet high; and if that were done, why should not the landlord pay for the fences? He was sorry to have to refer again to the want of knowledge possessed by the right hon. Gentleman who was in charge of the Bill. It was a great pity that he ventured to deal with subjects of which he had little or no knowledge. Why did not the hon. Gentleman make it his business to know that this Act applied to Scotland as well as England? The destruction caused by deer was simply enormous, and was it to be said that before a man could claim compensation he was to find out who was the owner of the deer? It was the business of the owner of the ground upon which the deer were found to find that out. He should be made responsible to the tenant, or else the tenant should be given the power to shoot these brutes who devastated their crops.

Captain SINCLAIR (Forfarshire) said a great deal of ridicule had been cast upon the Amendment, but no argument had been advanced and no objection had been raised to the principle involved. Anything more misleading than the remarks of the hon. Member for Launceston could hardly be imagined. The only objection which had been raised by every speaker against the Amendment was that the tenant would obtain compensation from his landlord for damage caused by the game of somebody else, from whom he could not claim compensation. In nineteen cases out of twenty the objection was an artificial one, and in the twentieth

case the rights of the landlord were perfectly safeguarded by the court of arbitration which would have to adjust the claims made under this Bill. The drafting of the Amendment might not be so good as it should be, still it embodied the fair principle that those who had the sporting rights should pay for them. He supported the Amendment with great pleasure.

MR. HEYWOOD JOHNSTONE thought that those who supported the Amendment had not carefully considered where it was likely to lead to. If the tenant was to be compensated for damage done by game during the last year of the tenancy, why should he not be compensated for the hounds crossing his land and tearing down the fences during the same period, and for damage done by rooks and pigeons and small birds which come out from the towns in the autumn? What was to be the compensation for the damage done by beasts of the field, fowls of the air, and reptiles, from wherever they might come, and other agencies? The landlord was to be responsible for damage which he could not control; why should not the tenant be compensated for the damage done by the ground game, which he could destroy if he liked?

MR. WEIR: What about deer?

MR. HEYWOOD JOHNSTONE: The tenant was to be compensated for damage done by game not belonging to his landlord and over which he had no control. There was no knowing what this Amendment would lead to, and he could not support it.

MR. FLAVIN (Kerry, N.) asked whether the onus of erecting an eight-foot fence around his land to protect it from the devastation of deer was to be placed upon the tenant. He thought it was the duty of the landlord who owned the deer for his own pleasure to undertake such an expense as that. It was the duty of the landlord to enclose the farm or keep the deer within the bounds of the deer forest, and if he did not the tenant farmer had a right to shoot all that came on his land, even in the face of the law, to protect himself. These deer could wander from the park into the cornfields and eat all the corn or other produce, and it was a great injustice to say that the farmer should not kill them. He strongly supported the Amendment.

MR. FLYNN (Cork, N.) pointed out that a case arose in the county of Cork a few weeks previously, in which a farmer alleged that great depredations had been committed on his land by rabbits, and that he was entitled to a very large reduction in his rent in consequence, but because he could not prove that the rabbits came from a particular warren, which he alleged that they had come from, he did not get the reduction which he was legitimately entitled to. The small farmer had great difficulty in protecting his land from ground game. One of the most trying things to a farmer living in the neighbourhood of a rabbit warren was to protect his crops at all, and the onus of protecting them should be thrown on the landlord, and if the tenant could prove that the depredations were caused by the neglect of the landlord, he should be entitled to compensation. A considerable number of Irish landlords made a large income from their rabbits which caused these serious depredations, and every reasonable precaution should be taken by the landlords to keep their game in their enclosures. The onus should not be thrown on the farmer. He cordially supported the Amendment.

DR. TANNER (Cork County, Mid) said that when a question with regard to game came up for discussion every person in the House thought they were qualified to speak upon it. He strongly objected to the supposed prior right of the land lord to the game which came on the land of the tenant. Pheasants were bred like hens, and when they got fat, hon. Gentlemen went down from town and took a pleasure in shooting them and called it sport. The tenant farmer was prevented from having a "go" at the game, simply because he was a tenant farmer and not an aristocrat. They did these things

somewhat better in Ireland, as there they took the law into their own hands, and long might they do so. As to rabbits, a personal friend of his had a large number, and they were getting into the country and committing depredations——

*Mr. SPEAKER: Order, order! The hon. Member is not addressing himself to the Amendment before the House.

Dr. TANNER explained that he was only pointing out that the rabbits committed such depredations that his friend had to get trappers in to trap the rabbits.

*Mr. SPEAKER: I must ask the hon. Member to address himself to the Amendment.

Dr. TANNER contended that in such cases as those to which the Amendment referred, the tenant ought to get compensation, and where wrong was done on a poor man's land the poor man ought to have the right to shoot the game, no matter of what description it might be.

Question put.

The House divided:—Ayes, 63; Noes 174. (Division List No. 205.)

AYES.

Atherley-Jones, L.	Lawson, Sir Wilfrid (Cumb'land	Smith, Samuel (Flint)
Barlow, John Emmott	Lough, Thomas	Stanhope, Hon. Philip J.
Billson, Alfred	Macaleese, Daniel	Steadman, William Charles
Bolton, Thomas Dolling	MacNeill, John Gordon Swift	Strachey, Edward
Burns, John	M'Crae, George	Sullivan, Donal (Westmeath)
Burt, Thomas	M'Ghee, Richard	Tanner, Charles Kearns
Caldwell, James	M'Leod, John	Tennant, Harold John
Cawley, Frederick	Maddison, Fred.	Trevelyan, Charles Philips
Colville, John	Mendl, Sigismund Ferdinand	Warner, Thomas Courtenay T.
Crilly, Daniel	Morgan, J. Lloyd (Carmarthen)	Wason, Eugene
Dalziel, James Henry	O'Brien, Patrick (Kilkenny)	Wedderburn, Sir William
Dillon, John	Palmer, Geo. Wm. (Reading)	Weir, James Galloway
Doogan, P. C.	Pease, Jos. A. (Northumb.)	Williams, John C. (Notts.)
Farquharson, Dr. Robert	Philipps, John Wynford	Wilson, Frederick W. (Norfolk)
Fenwick, Charles	Pickard, Benjamin	Wilson, John (Durham, Mid.)
Flavin, Michael Joseph	Price, Robert John	Wilson, John (Govan)
Flynn, James Christopher	Provand, Andrew Dryburgh	Woodhouse, Sir J T (Huddersf'd
Goddard, Daniel Ford	Reckitt, Harold James	Woods, Samuel
Griffith, Ellis J.	Roberts, John H. (Denbighs.)	Yoxall, James Henry
Hayne, Rt-Hon. Charles Seale-	Robson, William Snowdon	TELLERS FOR THE AYES—
Horniman, Frederick John	Samuel, J. (Stockton-on-Tees)	Mr. Channing and Mr.
Jones, William (Carnarvons.)	Sinclair, Capt. J. (Forfarshire)	Buchanan.

NOES.

Acland-Hood, Capt. Sir A. F.	Cecil, Evelyn (Hertford, East)	Finlay, Sir Robert Bannatyne
Allsopp, Hon. George	Cecil, Lord Hugh (Greenwich)	Fisher, William Hayes
Anson, Sir William Reynell	Chamberlain, Rt. Hon. J (Birm.	FitzGerald Sir Robt. Penrose-
Arrol, Sir William	Chamberlain, J Austen (Worc'r	Fitz Wygram, General Sir F.
Ashton, Thomas Gair	Chaplin, Rt. Hon. Henry	Flower, Ernest
Atkinson, Rt. Hon. John	Charrington, Spencer	Forster, Henry William
Baird, John George Alexander	Coghill, Douglas Harry	Garfit, William
Balfour, Rt. Hon. A. J. (Manch'r	Collings, Rt. Hon. Jesse	Gedge, Sydney
Balfour, Rt Hn Gerald W (Leeds	Cook, Fred. Lucas (Lambeth)	Gibbs, Hon. Vicary (St. Albans)
Banbury, Frederick George	Corbett, A. Cameron (Glasgow	Gilliat, John Saunders
Beach, Rt. Hn. Sir M. H. (Bristol	Cornwallis, Fiennes Stanley W.	Godson, Sir Augustus Frederick
Bemrose, Sir Henry Howe	Cox, Irwin Edw. Bainbridge	Goldsworthy, Major-General
Bethell, Commander	Cross, Alexander (Glasgow)	Gordon, Hon. John Edward
Bill, Charles	Dalkeith, Earl of	Gorst, Rt. Hn. Sir John Eldon
Boscawen, Arthur Griffith-	Dalrymple, Sir Charles	Goschen, George J. (Sussex)
Brassey, Albert	Davies, Sir Horatio D (Chatham	Goulding, Edward Alfred
Brodrick, Rt. Hon. St. John	Digby, John K. D. Wingfield-	Gray, Ernest (West Ham)
Bullard, Sir Henry	Douglas, Rt. Hon. A. Akers-	Greene, Henry D. (Shrewsbury)
Butcher, John George	Dyke, Rt. Hn. Sir William Hart	Greville, Hon. Ronald
Carson, Rt. Hon. Sir Edw. H.	Fellowes, Hon. Ailwyn Edward	Gull, Sir Cameron
Cavendish, R. F. (N. Lancs.)	Field, Admiral (Eastbourne)	Gunter, Colonel
Cavendish, V. C. W (Derbyshire	Finch, George H.	Hamilton, Rt. Hon Lord George

Hanbury, Rt. Hon. Robert Wm.
Hanson, Sir Reginald
Hardy, Laurence
Hedderwick, Thomas Chas. H.
Henderson, Alexander
Hermon-Hodge, Rbt. Trotter
Hoare, Sir Samuel (Norwich)
Hobhouse, Henry
Houston, R. P.
Hutchinson, Capt. G. W. Grice-
Hutton, John (Yorks, N. R.)
Jackson, Rt. Hon. Wm. Lawies
Jeffreys, Arthur Frederick
Johnstone, Heywood (Sussex)
Kenyon-Slaney, Col. William
Keswick, William
Knowles, Lees
Lawrence, Sir E Durning-(Corn
Lawson, John Grant (Yorks)
Leese, Sir Joseph F (Accrington
Llewelyn, Sir Dillwyn (Sw'nsea
Loder, Gerald Walter Erskine
Long, Col. C. W. (Evesham)
Long, Rt. Hn Walter (Liverpool
Lonsdale, John Brownlee
Lopes, Henry Yarde Buller
Lowles, John
Loyd, Archie Kirkman
Lucas-Shadwell, William
Lyttelton, Hon. Alfred
Macartney, W. G. Ellison
Macdona, John Cumming
MacIver, David (Liverpool)
Maclure, Sir John William
M'Arthur, Charles (Liverpool)
M'Kenna, Reginald
M'Killop, James
Martin, Richard Biddulph
Milbank, Sir Powlett Charles J.
Milner, Sir Frederick George
Milward, Colonel Victor
Monckton, Edward Philip
Moore, William (Antrim, N.)
More, Robert J. (Shropshire)
Morgan, Hon. F. (Monm'thsh.
Morrell, George Herbert
Morton, Arthur H. A. (Deptford
Mount, William George
Mowbray, Sir Robert Gray C.
Muntz, Philip A.
Murray, Rt. Hn. A. G. (Bute)
Murray, Charles J. (Coventry)
Nicholson, William Graham
Parkes, Ebenezer
Pease, Herbert P. (Darlington)
Peel, Hon. William Robert W.
Percy, Earl
Pilkington, R. (Lancs, Newton)
Platt-Higgins, Frederick
Powell, Sir Francis Sharp
Pretyman, Ernest George
Pryce-Jones, Lt.-Col. Edward
Purvis, Robert
Pym, C. Guy
Remnant, James Farquharson
Rentoul, James Alexander
Richards, Henry Charles
Ridley, Rt. Hon. Sir M. W.
Ritchie, Rt. Hon. Charles T.
Robertson, Herbert (Hackney)
Runciman, Walter
Russell, Gen. F. S. (Cheltenham
Russell, T. W. (Tyrone)
Sandon, Viscount
Seely, Charles Hilton
Sharpe, William Edward T.
Shaw, Charles Edw. (Stafford)
Shaw-Stewart, M. H. (Renfrew)
Sidebottom, T Harrop (Stalybr)
Sidebottom, William (Derbysh
Simeon, Sir Barrington
Skewes-Cox, Thomas
Smith, Abel H. (Christchurch)
Smith, James Parker (Lanarks.)
Smith, Hon. W. F. D. (Strand)
Stanley, Hon Arthur (Ormskirk
Stephens, Henry Charles
Stewart, Sir Mark J. M'Taggart
Strauss, Arthur
Strutt, Hon. Charles Hedley
Sturt, Hon. Humphry Napier
Talbot, Rt. Hn. J. G. (Ox. Univ.
Thornton, Percy M.
Tollemache, Henry James
Tomlinson, Wm. Edw. Murray
Warde, Lieut.-Col. C. E. (Kent)
Welby, Lt.-Col. ACE (Taunton
Welby, Sir Charles G. E. (Notts.
Williams, Colonel R. (Dorset)
Willoughby de Eresby, Lord
Wilson, John (Falkirk)
Wilson, J. W. (Worcestersh. N.)
Wilson-Todd, W. H. (Yorks.)
Wylie, Alexander
Wyndham, George
Wyvill, Marmaduke D'Arcy
Young, Commander (Berks, E)
Younger, William

TELLERS FOR THE NOES—
Sir William Walrond and
Mr. Anstruther.

LORD HUGH CECIL, in moving to omit Clause 2, stated that the Amendment was really put down to give the President of the Board of Agriculture an opportunity of explaining the bearing of the clause, and especially of the first sub-section, about the meaning of which there had been a difference of opinion expressed. The words "agreement, custom, or otherwise" seemed to be rather wide, and there was also an uncertainty as to what would happen if the arbitration provisions in the agreement were ill-made and not satisfactory. In such a case the proceedings would be in part under the Bill and in part under the agreement, and some confusion might arise. But the principal matter was as to the distinct bearing of the words "any improvement." There had been discussion on this point, and some Members appeared to think the words implied a procedure under which the landlord and tenant would endeavour to arrange their differences, and when they came to any particular improvement as to which they could not agree that particular question would be submitted to arbitration, and a separate award given. Another view, which he believed was the correct one, was that the more common proceeding would be to present the whole case to the arbitrator, who would make one award in a lump sum, and not review in detail all the points put before him. The point was one to be discussed on the schedule rather than on the clause, but it was desirable it should be made plain which was the correct view. It was worth noticing that the fourth sub-section contemplated a separate award in special cases, and that went to show that the ordinary procedure would be that of awarding a lump sum covering the whole case.

Amendment proposed—

"In page 2, line 5, to leave out Clause 2."—(*Lord Hugh Cecil.*)

Question proposed, "That the words of the clause to the first word 'and,' in line 8, stand part of the Bill."

*MR. LONG explained that the object of putting in the words referred to was simply to secure to the tenant that where he had a claim to compensation arising under the present Bill or the principal Act, or under custom, and so on, that right should be reserved to him. As to the second point raised, as to the procedure in the event of the arbitration provisions in the agreement not being satisfactory, it was quite clear that in such a case recourse would be had to the arbitration procedure provided in the Bill, which became operative in the event of the parties not providing the necessary machinery. In reference to whether the award would be given as a whole or in regard to separate parts, as a rule it would probably be given as a whole. But supposing the landlord and tenant agreed upon several points and disagreed only upon one or two, the arbitrator's award would then be upon the one or two points upon which there was a difference of opinion.

Amendment, by leave, withdrawn.

MR. BUCHANAN said the next Amendment was put down for a similar reason to the last, namely, to get an interpretation of the meaning of the words referred to.

Amendment proposed—

"In page 2, line 8, to leave out the words from the word 'Act' to the word 'the,' in line 10."—(*Mr. Buchanan.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

SIR ROBERT FINLAY said the words were not surplusage. Their object was to provide an opportunity for the parties to agree. If they agreed there was no necessity for arbitration; if they failed to agree on one or two points, those one or two points would be referred to arbitration. As to the assistance of valuers or others, that was a matter entirely for the parties concerned. If the words were omitted it would seem to indicate that arbitration should be resorted to at once without the parties attempting to come to terms. He therefore hoped the Amendment would not be pressed.

*MR. CHANNING thought the Amendment was put down under an impression as to the nature of the existing Act which was not absolutely well founded. The point at which objection should be taken to the procedure of the clause was not at this point but later on. The words as they stood were unobjectionable, but they certainly ought to move to omit the words which immediately followed.

Amendment, by leave, withdrawn.

Bill, as amended (by the Standing Committee), to be further considered tomorrow.

PUBLIC WORKS LOANS BILL.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

Debate arising:—

MR. DILLON (Mayo, E.): This Bill is a very important Bill, and I strongly object to it being taken at a time when it cannot be properly discussed. I therefore beg to move that the debate be now adjourned.

Motion made, and Question proposed, "That the debate be now adjourned."—(*Mr. Dillon.*)

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.) explained that the measure was a

formal annual Bill, the provisions of which followed on the lines of its predecessors, and were not controversial.

MR. JONATHAN SAMUEL (Stockton): I think the House ought to have from the Secretary to the Treasury some explanation with reference to this Bill, because in addition to the nomination of the Commissioners it is proposed to write off a certain amount of money in connection with loans lent under Acts of Parliament. In Part II. it is proposed to write off about £2,700 for one man, and in Part I. it is proposed to write off about £1,500. It is very unfair that such an important measure should be moved so near twelve o'clock, and if the Treasury are going to write off about £4,500 of loans due to them it is a very serious matter——

It being midnight, the motion for the adjournment of the debate lapsed without Question put, and the debate on the Second Reading stood adjourned.

Debate to be resumed to-morrow.

SUPPLY [6TH JULY].

Resolutions reported.

CIVIL SERVICES AND REVENUE DEPARTMENTS ESTIMATES, 1900-1901.

CLASS II.

1. "That a sum, not exceeding £8,095, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1901, for the Salaries and Expenses of the Office of Her Majesty's Secretary for Scotland and Subordinate Offices, including a Grant in Aid of the Congested Districts (Scotland) Fund."

2. "That a sum, not exceeding £10,649, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1901, for the Salaries, and Expenses of the Fishery Board in Scotland and for Grants in Aid of Piers or Quays."

3. "That a sum, not exceeding £3,221, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1901, for the Salaries and Expenses of the Department of Lunacy in Scotland."

4. "That a sum, not exceeding £2,743, be granted to Her Majesty to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1901, for the Salaries and Expenses of the Department of the Registrar General of Births, etc., in Scotland."

Resolutions agreed to.

MEDICAL AND SANITARY ARRANGEMENTS AT THE CAPE.

Address for "Return of Correspondence between the hon. Member for Ilkeston and the War Department in relation to Medical and Sanitary Arrangements at the Cape."—(*Sir James Kitson.*)

COUNTY AND BOROUGH FRANCHISE ASSIMILATION (LONDON) BILL.

As amended (by the Standing Committee), considered; Bill to be read the third time To-morrow.

BUSINESS OF THE HOUSE.

On the Motion for Adjournment—

MR. A. J. BALFOUR: I propose to take the Second Reading of the Public Works Loans Bill as first Order to-morrow, as I am informed the money is urgently required. Though it is not strictly in order, I may say at the same time that I

understand it will be extremely inconvenient to a large number of Members to sit later than 4 o'clock in the afternoon. I propose to adjourn the discussion on the Agricultural Holdings Bill, which will be the second Order, at that hour, and for the remainder of the day only non-controversial business will be taken.

MR. JONATHAN SAMUEL: What Bill does the right hon. Gentleman propose to take after 4 o'clock?

MR. A. J. BALFOUR: The Post Office Sites Bill and the Larceny Bill.

An HON. MEMBER asked whether the Post Office Sites Bill and the Larceny Bill were the only Government measures to be taken after 4 o'clock on Wednesday.

MR. DILLON asked whether it had been decided to take the Tithe Rentcharge (Ireland) Bill, Third Reading, as first Order on Thursday.

MR. A. J. BALFOUR: It is impossible for me to answer with certainty the last question, as I do not know what progress we shall make with the Agricultural Holdings Bill to-morrow. I quite agree it would not be fair to take the Third Reading of the Tithes Bill at a late hour of the evening; it ought to be either first Order or very near it, and I will endeavour to give the hon. Member an answer to-morrow. I am not anxious to press on Government business to-morrow after the two measures I have mentioned, but it is distinctly understood that the time we give up is not to be taken by private Members for their Bills. If after passing the Bills I have named the House prefers to adjourn I shall raise no objection, but if they do not adjourn Government and not private business will be taken.

MR. PATRICK O'BRIEN (Kilkenny) asked whether the right hon. Gentleman would be able to state to-morrow when the Irish Estimates and the Education Bill would be taken.

MR. A. J. BALFOUR: To-morrow or Thursday—at any rate, I will take an early opportunity.

Adjourned at ten minutes after Twelve of the clock.

HOUSE OF COMMONS.

Wednesday, 11th July, 1900.

PRIVATE BILL BUSINESS.

AIRDRIE AND COATBRIDGE TRAMWAYS BILL.

AIRDRIE, COATBRIDGE, AND DISTRICT WATER TRUST BILL.

BRIGHTON CORPORATION BILL.

Lords Amendments considered, and agreed to.

BURNLEY CORPORATION BILL [Lords].

Read the third time, and passed, with Amendments.

FALKIRK AND DISTRICT WATER BILL [Lords].

As amended, considered; to be read the third time.

GREAT INDIAN PENINSULA RAILWAY COMPANY BILL.

As amended, considered.

Ordered, That Standing Orders 223 and 243 be suspended, and that the Bill be now read the third time.—(*Mr. Caldwell.*)

Bill accordingly read the third time, and passed.

SOUTHPORT CORPORATION BILL.

As amended, considered.

Two Clauses added.

Ordered, That Standing Orders 223 and 243 be suspended, and that the Bill be now read the third time.—(*Mr. Caldwell.*)

Bill according read the third time, and passed.

BEXHILL AND ROTHERFIELD RAILWAY BILL [Lords.]

Read a second time, and committed.

DUBLIN CORPORATION BILL AND CLONTARF URBAN DISTRICT COUNCIL BILL (JOINT COMMITTEE).

Sir UGHTRED KAY-SHUTTLEWORTH reported from the Joint Committee on the Dublin Corporation Bill and the Clontarf Urban District Council Bill, That the parties opposing the Dublin Corporation Bill had stated that the evidence of Captain Andrew Knox Galway, inspector of Irish lights, 39, Ailesbury Road, Merrion, Dublin, was essential to their case; and, it having been proved that his attendance could not be procured without the intervention of the House, he had been instructed to move that the said Andrew Knox Galway do attend the said Committee this day, at One of the clock.

Ordered, That Captain Andrew Knox Galway do attend the Joint Committee on the Dublin Corporation Bill and the Clontarf Urban District Council Bill this day, at One of the clock.

CALEDONIAN RAILWAY BILL [Lords].

Report [10th July] from the Select Committee on Standing Orders read.

Ordered, That the Bill be read a second time.

PETITIONS.

EDUCATION (SCOTLAND) BILL.

Petition from Edinburgh, in favour; to lie upon the Table.

ROMAN CATHOLIC UNIVERSITY IN IRELAND.

Petition of the West Midland Baptist Association, against establishment; to lie upon the Table.

SALE OF INTOXICATING LIQUORS TO CHILDREN (No. 2) BILL.

Petitions in favour, from High Littleton; Keynsham; Cannock; Coxhoe; Llantwit; Resolven; Blaengarw; Yeovil; Bramley; and Bearpark; to lie upon the Table.

SUNDAY CLOSING (MONMOUTHSHIRE) BILL.

Petitions in favour, from Dinam; Resolven; High Littleton; and Lancaster; to lie upon the Table.

VIVISECTION.

Petition from London, for prohibition; to lie upon the Table.

RETURNS, REPORTS, ETC.

SOUTH AFRICA (UNWOUNDED SOLDIERS DEAD OR INVALIDED HOME).

Return [presented 5th July] to be printed. [No. 268.]

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

EAST INDIA (INOCULATION AGAINST CHOLERA AND TYPHOID.)

Return [presented 9th July] to be printed. [No. 269.]

BUSINESS OF THE HOUSE.

THE FIRST LORD OF THE ADMIRALTY (Mr. G. J. GOSCHEN, St. George's, Hanover Square) said that, unfortunately, the Navy Estimates would not be able to be taken on Friday next, as the Memorandum which had been promised would not be ready. The Home Office and Local Government Board Votes would therefore be taken on that day, and the Leader of the House would put down the Navy Estimates at the earliest possible date.

PUBLIC WORKS LOANS BILL.

[SECOND READING.]

Order read, for resuming Adjourned Debate on Question [10th July], "That the Bill be now read a second time."

Question again proposed.

Debate resumed.

MR. CALDWELL (Lanarkshire, Mid) said that on the previous night the First Lord of the Treasury had stated that this Bill was of an urgent nature, but for the life of him he could not understand in what way its urgency was such as to justify its being put in front of the Agricultural Holdings Bill. It was a measure usually brought in towards the end of the session, and, indeed, usually ran along with the Appropriation Bill. The Government might have reasons of their own for wishing to press the Bill on, but certainly the reasons had nothing to do with the Bill itself. The present Bill differed from previous Bills in that it nominated the Public Works Loan Commissioners, who held office for five years. The list was practically the same as before; it containing only two changes, the new Commissioners being Horace Alfred Damer Seymour and Colonel Lockwood. Why should an English Member, Colonel Lockwood, be put in the place of a Scotch representative, Lord Napier? He should also like to be informed what duties these Commissioners performed. How often did they meet? For all the House knew, they never met at all. As Parliament was here asked to reappoint certain people for a further five years, some information should be given as to their attendances in the past. Another point upon which the House was entitled to information was as to the extent Parliament exercised any effective control over the giving out of these moneys. This was a most important Department, as it was necessary to see that the security was good when a loan was advanced, as otherwise large amounts of money had to be written off. This should be a real business Department, and the House wanted to know that these names were not merely ornamental, but that the men were giving their attention to the work in a business-like way. With regard to the sums to be written off also this was a most important Bill. If such a Bill was brought forward and allowed to pass without discussion, what would be the result? The Department lending the money would find they had nothing more to do than to put a schedule to a Bill, and the Secretary to the Treasury would get it slipped through the House after midnight without discussion, with the result that the Commissioners would find it an extremely simple thing to write off debts that were a little troublesome to them. No explanation whatever was given why these amounts were to be written off; the House was simply asked to agree, and at five minutes to twelve an attempt was made to rush the Bill through. He would not take each of the items, but there was one in regard to which certainly some explanation should be given. Under the Purchase of Land (Ireland) Act, 1885, a man named Fitzgerald got a loan of £3,000 from the Irish Land Commission. The amount repaid was only £200 9s. 10d., and the House was now asked to remit £2,799 10s. 2d. That was a big order, especially without a single word of explanation. Other sums proportionately heavy were also to be written off. There was a man named Lambert who borrowed £500, repaid £182 0s. 10d., and the House was asked to write off £317 19s. 2d. Again no explanation was given, and the Commissioners were given the idea that they could put anything they liked in these schedules, that there would be no supervision, and that nobody would call them into question. Public money should not be allowed to be written off in that way. The Department should feel that there

was a supervision exercised, and that the Government might be challenged with regard to any particular case. The total effect of Part 1 of the schedule was that loans had been granted to the extent of £2,171 0s. 7d., of which only £541 17s. 8d. had been repaid, and the House was asked to write off £1,512 17s. 10d. It was no wonder borrowers in Ireland did not pay the money. He would be perfectly astonished if it were otherwise, when such lists could be seen year by year, showing that borrowers could get the whole or two-thirds and so on written off. There was one case in connection with the Fishery Board for Scotland. The sum advanced was £114; the amount repaid and realised by sale of the boat was £90 7s. 6d.; all that was asked to be written off was £23 12s. 6d. Loans for fishing boats were always precarious, as a storm might arise and the boats be lost or the men drowned; but, notwithstanding that, there was only this one case of £23 12s. 6d., and five men were concerned in that. Therefore, so far as Scotland was concerned, there was nothing unreasonable in the loans; but what was to be thought of a case in which only £200 was repaid out of £3,000? It was not in the interest of the Treasury that this writing off of loans should be allowed to pass perfunctorily through the House, and he intended that it should not. He warned the Secretary to the Treasury that when the Bill got into Committee an explanation would be required of each individual item, and every one of the items should be thoroughly probed to the bottom, so the right hon. Gentleman could get his material ready. Owing to the circumstances under which the Bill was put forward on the previous evening the hon. Member for East Mayo had lost his right to speak on the Second Reading, and in order to restore to the hon. Member his right to speak he would move that the Bill be read a second time that day three months.

Amendment proposed—

"To leave out the word 'now,' and at the end of the Question to add the words 'upon this day three months.'"—(*Mr. Caldwell.*)

Question proposed, "That the word 'now' stand part of the question."

MR. DILLON (Mayo, E.): This is not the first time I have directed attention to the form of this Bill, and the point to which I desire specially to direct attention is the practice of putting into the schedule long lists of arrears which are to be written off without any item of information being given as to the character of the arrears or as to the reasons for writing them off. There are many cases in which unanswerable reasons exist for writing off the amounts, but we do not know which are those cases. There is a new principle introduced in the second part of the schedule. The practice in previous Bills has been to put in a list of the items to be written off, but wherever those items were large in amount they were always loans to public authorities. Where there were arrears to be written off in the case of private individuals they were always either of extremely long standing or small in amount. The first item in the schedule is that of Giles Eyre Lambert, who obtained £500, and is to have £317 19s. 2d. written off. The period of that loan is 1847, and one might naturally conclude the time had come when that should be written off as a bad debt. But you have here the case of a gentleman named Fitzgerald, who borrowed under the Purchase Act of 1885 the sum of £3,000. He could borrow under that Act for no other purpose than that of buying a large valuable holding which the inspectors of the Land Commission must have certified as being ample and good security for the loan. Now, at the end of fifteen years, we are asked to forgive this gentleman £2,799.

THE FINANCIAL SECRETARY TO THE TREASURY (Mr. HANBURY, Preston): The hon. Gentleman is quite mistaken. We do not forgive the debt; we simply write it off as an asset of the Local Loans Fund; the debt is still recoverable.

MR. DILLON: That, indeed, is a new and extraordinary principle. What is the hurry for writing off Mr. Fitzgerald's debt? I really think after that answer we are entitled to some explanation. We want to know why a man who has borrowed so large a sum on presumably excellent security at so recent a date is to have this amount written off. This is an enormously important question, because millions have been lent on precisely this sort of security, and the process is going on at the rate of about £2,000,000

a year. If this debt is recoverable and there is a prospect of getting it, why should it be written off? What has become of the holding? By the terms of the Act of 1885 the holding must have been worth much more than the amount advanced. The principle of the Act is that there must be a margin, and £3,000, according to the principle of the Act, ought not to have been lent on a holding worth less than about £5,000 to the tenant. We are therefore entitled to assume that the loan is secure, and we want a full explanation of this matter.

MR. LLOYD-GEORGE (Carnarvon Boroughs): The question raised is a most important one, and the case referred to by the hon. Member for East Mayo is one of the most extraordinary I have ever seen. First of all, there is a sum of £3,000 advanced, there is only £200 repaid, and we are asked to write off the remainder. Surely we are entitled to have some explanation of such a transaction. If we assume that not more than two-thirds of the value of the security would be advanced, that means that the holding would be worth about £4,000. It is now discovered that owing to over-valuation or some other reason that £3,000 is represented by no asset at all; and although the amount may be recoverable as a personal debt, the Treasury have come to the conclusion that it is no good, and it is to be practically, though not nominally, wiped out in this way. There ought to be some explanation. We should not be called upon year by year to get up and say, "Can you explain the case of James Collins or Michael O'Brien?" The House of Commons does not lend itself to that sort of thing. There ought to be a report sent to the House of Commons every year before the Bill is read a second time, each individual transaction being explained, and if any explanation was not satisfactory we could bring it up when the Bill was considered. The possibility is that these things will go on increasing, and there is a great deal in the point as to the change in the character of the debt we are asked to wipe off. Up to the present we have been asked to wipe off debts for public works, by which we may assume some good has been done, even though the locality may not be rich enough to repay the sum advanced by the Treasury. But here we are asked to wipe out debts incurred in the interests of private individuals in different parts of the kingdom. That, I think, makes it all the more necessary that a report should be made in regard to this matter. There is one local point to which I desire to call attention. I find amongst the Commissioners every part of the United Kingdom represented except Wales. I think the right hon. Gentleman might consent to Wales also being represented on this Board. When the matter was brought forward on a previous occasion the objection was that the number of Commissioners was limited. But this is an Act of Parliament, it is not merely an administrative Act, and if the right hon. Gentleman consents he can easily increase the number of Commissioners by one. There is not one of the present Commissioners to whom I object, but certainly there should be one representative of the Principality, one very good reason being that there is not a part of the country which receives less from the Local Loans Fund than the Principality of Wales; and I am sure there is no part of the country which deserves more from the fund. A great deal could be done to restore the fishing industry in that part of the country, and that is a very important industry from an Imperial point of view. The Navy used to draw some of its best men from that part of the country in the past, but it does nothing of the kind at present. The industry is dying out, and we have constantly asked the Treasury to assist us by loan or by grant to develop the fishing industry, but without success. Wales ought to have one representative at least to see that fair play is done to that part of the coast, and I should like to know whether the right hon. Gentleman the Secretary to the Treasury will not consent to increase the number by one, and that one to be a Welsh Member—it does not matter from which side of the House he comes.

MR. HANBURY: The hon. Member for Carnarvon has made two suggestions, and I quite agree with what he said in regard to each of them. He first suggested that the House should have more information with regard to the debts that are written off, and an explanation of the reasons for taking that course. That is a very reasonable suggestion, and I will undertake that in future there shall be

laid before the House, if possible before the Bill is brought on for Second Reading, a complete statement showing our position with regard to the various items. The hon. Member also asked me with reference to the appointment of a distinctly Welsh Commissioner. Although the number of Commissioners is not actually limited, as a matter of fact it has always been exactly the same, about sixteen, I think. I am told there would be some objection to increasing that number; but I have been in communication with the Commissioners, who are to a great extent in sympathy with the suggestion of the hon. Member, and I have every reason to believe that should a vacancy occur they would be very glad to consider the suggestion he has made—that a Commissioner representing Wales should be placed upon the list. As the hon. Member knows, the names come before Parliament only once every five years, but any vacancies which occur during that period are filled by the Commissioners themselves. Therefore, their agreement that a Welsh member might very well be appointed is one which they will probably have an opportunity of carrying into effect. The hon. Member for Mid Lanark is, I think, a little unreasonable. He complains, first, that we brought on the Bill at five minutes to twelve at night; and then he complains that we set it down as first Order for to-day. It is, therefore, a little difficult to see what would satisfy him, but I will do my best to facilitate matters by giving an answer to the points he has raised. He asks, in the first place, where is the urgency for this Bill. The hon. Member takes a considerable interest in the needs of various localities, and he must know that we are constantly receiving applications from local authorities for loans; but as the powers of last year are exhausted, those loans cannot be granted until this Bill is passed. It is, therefore, in the interest not so much of the Treasury as of the local authorities that we are pressing this Bill. The hon. Gentleman then raised several points which are really Committee points rather than matters to be discussed on the Second Reading, and as he has promised to call my attention to a great many of these points in Committee, perhaps I ought to give him the opportunity to raise them twice over. There is, however, one important case, but it is not one of remission. There seems to be an idea on the part of the hon. Member for East Mayo, and even on the part of such a financier as the hon. Gentleman opposite, that we are actually wiping off these debts. We are doing nothing of the kind; we are simply writing them off as assets of the Local Loans Fund. That does not by any means mean that they are not recoverable, or that we shall not do our best to recover them. As matter of fact, within the last ten years a large number of these loans which have been written off as assets of the Local Loans Fund have been recovered and paid into the Exchequer.

MR. DILLON: To what amount?

MR. HANBURY: I think between £12,000 and £15,000 during the last ten years.

MR. DILLON: And how much was remitted during that period?

MR. HANBURY: I really cannot carry all these figures in my head. I ought to mention the particular case of Fitzgerald, which has been referred to. It is not a recent loan at all; it was considerably before 1889 when he fell into arrear with his annual payments. What has happened is this. We could find no purchaser of the land for several years, and now it has been leased by the Land Commission for a period of twenty years at £58 a year, which, I am told, is the full letting value of the land. That being so, is it fair to the Local Loans Fund, or the local authorities who desire to borrow from that fund, that that money should be lying idle? It is, therefore, being wiped off the assets of the fund; but we have the security, and meanwhile are getting the rent. Directly the farm can be sold, the whole of the proceeds will be paid into the Exchequer. This is distinctly a case where we have every prospect of recovering, at any rate, a large portion of the loan. The only other point raised by the hon. Member was the complaint that there were more Irish than Scotch loans remitted. I should have thought that was rather complimentary than otherwise to his country, but he seemed bitterly to complain that Scotchmen did not borrow money and then find themselves unable to repay it. I really cannot enter into the frame of mind of the hon. Member. I think Scot-

land is to be congratulated on the fact that it does pay up its debts.

MR. CALDWELL: Make Ireland pay up also.

MR. HANBURY: We do our best to make Ireland pay up. If the hon. Member wishes us to be even more hard than we are upon Irish borrowers, I must confess I do not take so hard a view of the case as he does. But when he supposes we are remitting these loans, we are doing nothing of the sort; and with regard to a large number, we are recovering certain amounts of the sums so written off.

MR. ALFRED THOMAS (Glamorganshire, E.): While I very much appreciate the tone in which the right hon. Gentleman has replied to the hon. Member for Carnarvon, I must say that no argument has been advanced why the number of Commissioners should be confined to sixteen. We are not very anxious to wait for dead men's shoes; moreover, we want a representative appointed by the House of Commons, and there is no reason whatever why Wales should not have one representative on the Board.

*SIR F. S. POWELL (Wigan): I feel under an obligation to hon. Members for directing attention to this Bill. I have watched these Public Works Loans Bills and Bills of a kindred character, and I have discovered that year after year there are debts written off without any explanation whatever or cause shown. I have long thought it a very unsatisfactory condition of affairs, and I rejoice to hear the statement just made by my right hon. friend that that system should come to an end. I certainly think it would be in the public interest that debts should not be written off so long as they may fairly be regarded as recoverable. The wiping off of a debt of this kind shows a certain amount of carelessness in the advance, and that carelessness ought to be, I will not say rebuked, but carefully watched by the House of Commons. I am sure that although we have important business before us the time has not been wasted in this short discussion of a question which, in principle if not in figures, is one of very great importance.

MR. JONATHAN SAMUEL (Stockton): It is very essential that when accounts are written off in this way some explanation should be given. In municipal life every precaution is taken before accounts are written off, and the same should be done with regard to a Government Department. It was, therefore, an extraordinary piece of policy on the part of the Government to move this Bill at five minutes to twelve last night when such large amounts of money are involved. I quite agree that it is very unfair that Wales should be excluded from having a Commissioner, because when loans are applied for by a local authority the local knowledge of any particular Commissioner must always carry great weight with the other Commissioners. Wales is therefore entitled to have a representative, and I hope that in Committee the hon. Member for Canarvon will move the addition of a gentleman from Wales. The point I wish particularly to raise is, that the Secretary to the Treasury has not fully explained the mode of writing off these accounts. The right hon. Gentleman said there was a probability of the amounts being recovered hereafter. This Bill, like all other Bills of the Government, requires reference to two or three other Acts of Parliament before it can be understood, and Section 3 of the Bill refers to Section 15 of the principal Act of 1887. There I find that the mode of preventing loss to the Exchequer is a most extraordinary one, and one which is very unfair upon those local authorities and private individuals who do pay their debts to the Exchequer. In Section 11 it states that there was a sum estimated at £12,000,000, or thereabouts, which had been lost to the Exchequer through the non-payment by local authorities and individuals of the principal of local loans. How are these losses met? They are met by a restitution fund. Under Sub-section 1 of Section 11 of the Act of 1887 the Local Loans Fund has to set aside every year £130,000 in quarterly instalments, to be paid to the credit of the National Debt Commissioners, to prevent the National Debt Commissioners suffering any loss by the non-repayment of these loans. This is very unfair to the local authorities who do pay their debts, because if the Local Loans Fund can afford to set aside £130,000 a year, these sums ought to be enforced and the amount go towards the reduction of the interest charged to the local authorities.

I referred last night to the case which has been brought up to-day. I should like to know whether in the Report we are to have we shall be told how much this man Fitzgerald received more than he ought to have received on this farm. That is really the point.

MR. DILLON: Four times its value.

MR. JONATHAN SAMUEL: The hon. Member for East Mayo says he had four times its value. If that is the case, I ask how is it possible for these tenant farmers who become the owners of their land under the Purchase Act to pay the interest and principal on that same land? In the schedule of loans by the Commissioners of Public Works, Ireland, there is a total amount advanced of £2,171, of which only £541 has been repaid, so that there is a loss, for the time being, to the Exchequer or the Local Loans Fund of £1,512. I think we are entitled to receive from the Chancellor of the Exchequer some information as to the state of this restitution fund, and whether the amount is equal to meeting the losses which the National Debt Commissioners are bound to suffer under this system. In any case, we were justified in opposing this Bill last night and to-day, and if the hon. Member goes to a division I shall go into the Lobby with him as a protest against the action of the Government in bringing this matter forward in the manner they have.

MR. GODDARD (Ipswich): In his incomplete explanation of the Bill, the Secretary to the Treasury has spoilt his own arguments altogether. The right hon. Gentleman said the Treasury were now receiving from the estate to which reference has been made a rent of a little under £60 a year. If, however, £60 a year is the full value of the farm, how in the name of reason came a loan of £3,000 to be advanced upon it? That is about fifty years purchase; so that, on the face of it, either the right hon. Gentleman's explanation is incomplete, or it is proved that very great rashness was shown in advancing the money. I hope some further explanation will be given on this point, because if that is the way in which these loans are made it is very clear there will have to be a great many of these cases in the future in which amounts will have to be written off. I strongly support the contention that Wales should have a representative on the Commission. The right hon. Gentleman has given a sort of promise with regard to the matter, but it would be much more satisfactory to the Welsh Members if the right hon. Gentleman could see his way to add the name of a Welsh Commissioner at once instead of waiting until such time as a vacancy occurs.

SIR DILLWYN LLEWELYN (Swansea Town): I rise to support the appeal made by the hon. Member for Carnarvon. At the present moment it is most desirable that some special attention should be paid to the claims of Wales, and that there should be on the Commission some gentleman who thoroughly understands the needs of the Principality. Quite recently the county of Monmouth has been called upon to find its own lunatic asylum, and the counties linked with it in the past—Brecon and Radnor—have had to provide similar institutions for themselves. They have made application to the Public Works Loans Board for a grant of money for this purpose, and, although it has been allowed in the case of Brecon, it has been refused in the case of Radnorshire. I hope the decision is not a final one, because I think that when two counties similarly situated make such an application they should be treated as nearly equally as possible, and equitably as well. I am not going to make any complaint as to the rate of interest claimed by the Public Works Loans Board, because I am perfectly well aware that that rate has recently been raised, but I do ask that the claims of Radnorshire should be considered by that Board and by the Treasury; and I may add that there is a feeling that, hitherto, they have not been acceded to simply because Wales has no direct representative on the Board.

MR. PHILIPPS (Pembrokeshire): I hope that the Chancellor of the Exchequer will speak on this matter, and will promise that the very reasonable demands put forward by some of my colleagues from Wales shall be conceded. The hon. Member who has just spoken has pointed out that certain Welsh demands had been refused. Perhaps the refusal has been just; but I think Wales can scarcely be expected to consider that its claims are fairly listened to when it is realised that of the sixteen

Commissioners not one has any connection with the Principality. I understand that the only reason given by the Secretary to the Treasury for not appointing a Welsh Commissioner is that the body of Commissioners has always consisted of sixteen members. But sixteen is not a mystic number; it is no better than any other number; and I do not think that it is fair that the Government should put us in the position of having on another stage of this Bill to object in turn to each of the gentlemen nominated. We have no wish to prolong this debate, and we are perfectly ready to let the Bill go through at once if the right hon. Gentleman will give us a pledge that he will either get one of the gentlemen nominated to withdraw in the interests of someone from Wales, or that he will add another member to the Board. Considering the fact that the Commissioners have at their disposal a sum of six millions sterling from England and Scotland, and of eight hundred thousand pounds from Ireland, I do think the right hon. Gentleman might make the concession for which we are asking.

THE CHANCELLOR OF THE EXCHEQUER (Sir M. HICKS BEACH, Bristol, W.): The House must remember that these Commissioners are unpaid, and I think that both the House and the country are deeply indebted to them for the important work they perform. I entirely agree with what has fallen from the Members for Wales that there ought to be among the Commissioners one who is acquainted with that part of the United Kingdom, and I will see them on the subject before the Bill reaches the Committee stage, with a view to their appointing someone. The hon. Member for Stockton is entirely mistaken with regard to the restitution fund. The hon. Member objected to that fund on the ground that it is unfair to make existing and new borrowers pay old debts. In 1897 the same view occurred to me, and at my instance Parliament abolished the restitution fund altogether, making provision for the application of the surplus income of the Local Loans Fund so as to provide against default. Every year the accounts of the Local Loans Fund are presented to Parliament, and I think they show that the result has been by no means unsatisfactory.

MR. FLAVIN (Kerry, N.) said he thought the House was entitled to much more information than was given in the schedule of this Bill. It was a remarkable fact that absolutely no information was forthcoming with regard to Irish loans beyond the mere name of the borrower. In the case of Scotch loans they were told the district in which the loan was granted, and he ventured to assert that they ought to have in all cases full information as to the circumstances under which the money was advanced. Now, with regard to the case of Mr. Fitzgerald——

*MR. SPEAKER: Order, order! I would remind the hon. Member that these minute details are more profitably discussed in Committee, and not on the motion for the Second Reading.

MR. FLAVIN said his object in mentioning them was to enable the Minister in charge of the Bill to obtain the necessary information by the time the Committee stage was reached. He thought he was entitled to ask why a sum of £3,000 was advanced upon a farm the annual rent of which was £58.

MR. HANBURY: I will undertake that full information shall be laid before the House before the Committee stage is reached.

MR. FLAVIN said that, so far as he could see, this particular transaction must result in a loss of at least £2,000. The tenant got no advantage whatever from the money advanced. The landlord had pocketed it, and yet the tenant was liable to have proceedings taken against him and to be made a bankrupt. He hoped that in future, in regard to Irish loans at any rate, they would be informed not only of the amount of the loan but of the name of the borrower, and of the district in which he lived. Seeing that the right hon. Gentleman had promised to give that, he thought the best thing they could do was to conclude the discussion.

MR. CALDWELL: I beg to ask leave to withdraw my Amendment.

Amendment, by leave, withdrawn,

Main Question put, and agreed to.

Bill read a second time, and committed for Monday next.

AGRICULTURAL HOLDINGS BILL.

As amended (by the Standing Committee), further considered.

Clause 2:—

MR. CHANNING (Northamptonshire, E.) said he had to move the omission of the words requiring that the arbitration should, in the first place, be in accordance with any agreement between landlord and tenant, and in default of and subject to any such agreement in accordance with the provisions of the Act. He said that the effect of striking out these words would be that they would revert to the provisions of the existing Act as to procedure. The present Bill adopted the phraseology of Section 8 of the Act of 1883, in so far as the landlord and tenant were enabled to agree as to the amount, time, and mode of payment of compensation for any improvement. But it went on to add that if they did not so agree the difference should be settled by arbitration in accordance with provisions, if any, in that behalf in any agreement between landlord and tenant; but in default of, and subject to, any such provision, by arbitration under this Act, in accordance with the provisions set out in the second schedule of the Act. It would therefore be seen that another stage was introduced into these proceedings in this clause, in the form in which it now stood, and the tenant would be shut out from the arbitration procedure set forth in the schedule of the Bill. He did not himself think that there was anything in the wording of the Act to prevent a wholly unreasonable method of settling the differences between the two parties being set up by such an agreement as was indicated; neither could he trace any check to prevent the parties agreeing to appoint an arbitrator years beforehand to settle all questions which might arise between them. He had put down this Amendment in order that the House might know exactly what it was doing in passing this particular piece of legislation. It was most important it should be fully realised that, while the chief merit of the Bill was that it undoubtedly simplified the procedure for settling differences between the two parties by means of a single arbitrator, and thereby affording a clearer, cheaper, and shorter process, and one less calculated to lead to friction between the parties, yet having set up this admirable machinery, it was by these words proposed to place in the hands of the landlords and their agents an almost irresistible weapon which they could use if they wished, and if they were so arbitrarily inclined, to deprive the tenants of all the advantages they might derive from adopting the procedure laid down in this Act. He wished to remove one misconception which arose in a short discussion at the Council of the Central Chamber of Agriculture on the previous day on this question. He wished to make it plain that he did not in the least propose to interfere, nor would there be any interference if his Amendment were carried, with the reasonable power of contracting out as regarded settlements of claims for compensation for improvements, as already provided in the existing Act. That Act provided for a perfectly reasonable and most desirable exercise of freedom of contract between the parties in cases where a tenant was taking an improving lease of land. If his Amendment were carried the parties in such a case would still retain absolute freedom to agree on matters of that kind, provided, of course, that the agreement was reasonable and fair. What he objected to, however, was the power they were creating under this Bill of giving the landlord or his agent the right to set up their own particular form of arbitration, and to appoint their own particular arbitrator, and to say to the tenant, "You must accept your lease or agreement subject to our conditions." He ventured to say that it would cause profound disappointment to many farmers in this country if a provision of this kind were allowed to remain in the Bill. The whole object of this legislation was to supersede and clear away what was inoperative and unsatisfactory in the old Act. That Act had proved a source of friction and difficulty between the parties. This Bill, he repeated, had for its chief merit that it set up a cheaper, simpler, and clearer machinery, and a serious responsibility would lie upon the Government if it placed in the hands of the landlords power to contract themselves out from the use of that machinery. He thoroughly recognised the desirability of retaining Clause 5 of the old Act, which enabled the landlord and tenant to agree, either at the beginning or during the course of the tenancy, on the amount, time, and mode of payment of compensation for any improvement that might be claimed for. But he also made a strong

claim for the maintenance of the most absolute freedom on the part of the tenant, where a dispute had arisen, to have recourse, at the close of his tenancy, if he saw fit, to the machinery which this Bill provided, and he submitted that the tenant ought not to be shut out from it by an agreement which might have been entered into years before, under circumstances and conditions in which he could not possibly contemplate the position he found himself placed in at the end of the tenancy. It seemed to him that this was the most undesirable course to adopt with regard to both new and old tenants. What would happen if the words were left in, in the case of tenants who had invested a large amount of capital in carrying out improvements upon their holdings, on the security of a tenancy from year to year? They had, of course, a large stake in the land, and if they wished to retain their holdings they would, in many cases, be placed in the position of having to choose between signing an agreement of this kind and surrendering their farms. He had heard that already agreements were being entered into which excluded tenants from the benefits of this Bill. He ventured to say that a tenant in such a position would have a very inadequate power to resist the imposition upon him of a course of procedure which might be very prejudicial to his interests. It might very probably be objected to this Amendment that by Section 55 of the Act of 1883 it was provided that the rights of the tenant should not be contracted out. But he would draw attention to the fact that that section only protected the rights of the tenant as regarded the claiming of compensation in respect of any improvement, and it did not protect in any way the right of the tenant to take advantage of the procedure under the Act. He was well aware it might be contended that they were now trying to amalgamate and bring together all claims that might arise under agreements and custom under the provisions of the Act. That was eminently desirable, and those who had followed cases in the courts of law know perfectly well that great hardship and injustice had been caused by inability to enforce claims by reason of the undue limitation of the law. It was claimed for this Bill that it would enable the tenant to exercise his own choice with regard to procedure as to whether he would claim under custom or under the provisions of the Act or under a special agreement. But that was no answer to the argument he had laid before the House. It might be said that the power of contracting out might be limited to a certain extent by the inclusion of claims set up under custom or special agreement. But that did not remove the main objection which he had to this sub-section, which placed it in the power of landlords to set up another procedure for settling the claims of their tenants, and for determining in their own favour. He thought that would be most prejudicial to the working of the Act, and would cause grievous disappointment among the farmers of this country. Under these circumstances he begged to move the Amendment which stood in his name.

Amendment proposed to the Bill—

"In page 2, line 10, to leave out the words from the word 'arbitrat on' to the word 'under,' in line 13."—(*Mr. Channing.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

*THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. LONG, Liverpool, West Derby): The hon. Gentleman is quite right in assuming that the words as they stand in the Bill do give priority to any arrangement entered into between landlord and tenant with regard to the way in which these matters should be settled, and that, I take it, is the simple issue between the hon. Member and those who think with him and the Government. We have shown by this Bill that we believe in the arbitration system, but we also hold most strongly that the parties should be free, if they so desire, to make any arrangement they please for the settlement of any difficulty that may arise. There is only one possible alternative to that course. If it is not to be adopted we must make the procedure of arbitration compulsory in all cases. The hon. Gentleman tells the House that there are cases where landlords are trying to contract out of the Act in a way which is extremely injurious to the tenant. I do not deny that there may be cases of hardship here and there. But I think that even in this matter, as in others, the percentage of such cases in regard to contracts affecting agricultural

tenancies will be found to be much smaller than in contracts affecting other industries. Does the hon. Gentleman seriously ask the House of Commons to compel the vast majority of owners and occupiers, who are anxious and willing to make their own arrangements, to come under the Bill, simply because in a limited number of cases injustice has been done, or may be done in the future. I resist the Amendment because I think it would be unwise thus to trammel both landlord and tenant, and I resist it also in the interests of the tenants themselves, because I believe that they value quite as highly as the owner of the land, and as hon. Gentlemen on this side of the House, the right and privilege of making their own arrangements. I do not believe that they are so incapable of making arrangements as the hon. Member seems to suggest.

MR. CHANNING: Under Sub-section 5 they retain that power.

*MR. LONG: No; that is another matter altogether. If the hon. Gentleman's Amendment is carried it will make arbitration compulsory whenever any difficulty arises. What this Bill does in the words which the hon. Gentleman wishes to strike out is to leave it to the owner and occupier to settle any difficulty that may arise by that form of arbitration which they themselves select. We are told that a tenant farmer may enter into some agreement for a form of arbitration which would be unjust. I confess I have my doubts as to the existence of any very large number of these cases. But if they do exist I believe we may remedy them not by passing a compulsory enactment of this kind, but by teaching farmers to study their own interests when entering upon a holding, and to see for themselves that they do so under conditions which afford them a reasonable prospect of success. We must teach them not to rely too much upon Acts of Parliament. The less we interfere with the relations between landlord and tenant the better it is for both parties, and that being my belief I ask the House to reject the Amendment of the hon. Gentleman.

MR. BUCHANAN (Aberdeenshire, E.) said he did not think that the right hon. Gentleman, by the speech he had just delivered, had shown any great confidence in the efficacy of the remedies he proposed in the Bill. The clause as it stood was a direction to the landlords that they should devise a separate scheme of arbitration rather than have recourse to the system of arbitration provided by the Bill. Now, that was evidence of very little confidence in the merits of that arbitration system. If there was any merit in this Bill at all, it was supposed to be in the process of arbitration set up in the second schedule, and yet it was proposed that any private agreement should have priority over that system. Surely it was only right they should secure to the tenants the benefits of the procedure set up by the Bill. With regard to the suggestion that the tenants should be careful in entering into agreements of this sort, surely the right hon. Gentleman knew it was a common practice to have estate rules on all large estates. In these rules an average system of arbitration was provided for, which limited the rights of the tenants, and undoubtedly care would be taken in the future to prevent tenants enjoying the benefits intended to be conferred by this Bill. He had already heard of several estates in which new rules had been introduced more or less limiting the statutory rights of the tenant, and they might depend upon it that that system of limitation would be continued unless the words with which the Amendment of his hon. friend dealt were struck out of the clause.

COMMANDER BETHELL (Yorkshire, E.R., Holderness) said he was very glad that his right hon. friend had so stoutly resisted the Amendment. The hon. Member for East Northamptonshire had been trying to frighten the agricultural interest by suggesting that unfair agreements would be imposed on the tenants by the landlords. But that was a bogey of the hon. Gentleman's own imagination, for the interests of both landlord and tenant were completely adverse to any such proceeding. This Bill was undoubtedly a step in advance. It provided that in default of any agreement between the parties interested a certain form of arbitration procedure should be adopted. Under the old Act of 1883 such a provision did not exist, and therefore this Bill was clearly an extension of the principle of arbitration. He thought the right hon. Gentleman very correctly stated the position when he suggested that they should encourage the tenants

themselves to see that they did not enter into agreements which were calculated to preclude them from making a fair living. He thought the right hon. Gentleman acted wisely in opposing the Amendment.

DR. FARQUHARSON (Aberdeenshire, W.) said he did not think the last speaker was quite correct in saying that the danger apprehended by the Member for East Northamptonshire was a mere bogey of his own imagination, because the President of the Board of Agriculture had himself admitted that there might be cases of hardship under the provisions of this particular Bill.

*MR. LONG: Yes; I said there might be.

DR. FARQUHARSON said that statement of the right hon. Gentleman was a complete answer to the assertion of the hon. Member for Holderness. Our system of legislation was to legislate not for the good, but for the bad; and he thought they ought to take care to provide a remedy as far as possible for all cases of possible grievances. Personally he was not very much afraid of private arrangements, and he would bitterly regret anything calculated to prevent amicable arrangements being come to between landlord and tenant, as they were constantly in all parts of the country. All his hon. friend desired was to maintain the *status quo*, which would carry out exactly the principle approved of by the right hon. Gentleman—namely, that landlord and tenant should have power to agree between themselves as to the amount, time, and mode of payment of compensation, and that if they could not agree their differences should be settled by arbitration. He agreed with his hon. friend, and would support him in a division.

MR. HEDDERWICK (Wick Burghs): I cannot help thinking that the right hon. Gentleman has, to some extent, unconsciously, no doubt, magnified the scope of my hon. friend's Amendment, and may accordingly have misled some hon. Members as to its exact application. The right hon. Gentleman seemed to be under the impression that if this Amendment were adopted it would put an end altogether to private agreements between landlords and tenants. Of course it would have no such effect. Landlords and tenants would be quite as much at liberty to make their own private agreements if this Amendment were carried, as they would be if the clause stands as it is. The whole effect of the Amendment would be that where the landlord and tenant failed to come to an absolute agreement as to the amount, mode, and time of payment, recourse should be had to the machinery of arbitration proposed to be set up. Such cases would be comparatively rare, and, therefore, the scope of my hon. friend's Amendment is very limited indeed, because the words in the clause are conjunctive, not disjunctive, and it is only where the parties are unable to agree that recourse would be had to arbitration. On the face of it the clause proposes a fair arrangement. It is seemingly fair to say that the landlord and tenant may agree if they like as to the amount, mode, and time of payment, and that in that event the arbitrator is bound by the provisions of that agreement. That seems more or less fair, but when it is taken into consideration that in many cases the landlord is in a superior position, and can dictate to the tenant, the effect of the clause will be that the landlord will be given power, if he chooses, to contract himself out of the provisions of the Act which we are taking such pains to pass in a perfect condition, and which we all hope will do some good to the agriculturists of the country. It is not stated in any clause of the Bill that the landlord or the tenant may contract himself out, but the landlord is empowered to make any private agreement he chooses, and in that event the machinery of the Act shall be of no effect, and the arbitrator must have regard simply and solely to the terms of that private agreement.

*MR. LONG: Oh, no! It is provided that the compensation to be given by the landlord to the tenant must reach the standard laid down in the Act as amended by this Bill.

MR. HEDDERWICK: I accept the right hon. Gentleman's explanation; but in point of fact it comes to this: that, as far as arbitration is concerned, the landlord and tenant can, if they choose, practically contract themselves out of the Act; and the result will be, as the right

hon. Gentleman very fairly says—although he will not admit that there will be cases of injustice—that there may be cases in which injustice may ensue.

*MR. LONG: Hear, hear!

MR. HEDDERWICK: Is it beyond any reasonable doubt that such cases will occur? The land legislation which this House has passed has been based entirely on the inability of tenants and landlords to make what would be regarded by men of common sense as fair agreements, because the position of the tenants has been such, not only in England but in the north of Scotland and in Ireland especially, as to prevent them from making any fair agreement at all. I suppose it is useless to ask the right hon. Gentleman to reconsider his position as regards this Amendment, but considering the smallness of its scope and the desirability of giving real effect to the machinery proposed in the Bill, I hope the right hon. Gentleman will accept it.

Question put.

The House divided:—Ayes, 168; Noes, 70. (Division List No. 206.)

AYES.

Acland-Hood, Capt. Sir A. F.
Arrol, Sir William
Austin, Sir John (Yorkshire)
Bailey, James (Walworth)
Baird, John George Alexander
Balfour, Rt. Hn. A. J. (Manch'r)
Balfour, Rt. Hn. G. W. (Leeds)
Beach, Rt. Hn. Sir M. H. (Bristol
Beach, Rt. Hn. W. W. B. (Hants
Beaumont, Wentworth C. B.
Bethell, Commander
Bill, Charles
Blakiston-Houston, John
Boscawen, Arthur Griffith-
Boulnois, Edmund
Bowles, T. Gibson (King's Lynn
Brassey, Albert
Bullard, Sir Harry
Campbell, Rt Hn J. A. (Glasgow
Carson, Rt. Hn. Sir Edw. H.
Cavendish, V. C. W. (Derbysh.)
Cawley, Frederick
Cayzer, Sir Charles William
Cecil, Lord Hugh (Greenwich)
Chamberlain, Rt. Hn. J. (Birm.)
Chaplin, Rt. Hon. Henry
Charrington, Spencer
Chelsea, Viscount
Coddington, Sir William
Cohen, Benjamin Louis
Collings, Rt. Hon. Jesse
Corbett, A. Cameron (Glasgow)
Cripps, Charles Alfred
Cross, H. Shepherd (Bolton)
Cubitt, Hon. Henry
Curzon, Viscount
Dalkeith, Earl of
Davies, Sir Horatio D. (Chatham
Denny, Colonel
Dickinson, Robert Edmond
Digby, John K. D. Wingfield-
Donkin, Richard Sim
Dorington, Sir John Edward
Douglas, Rt. Hon. A. Akers-
Doxford, Sir Wm. Theodore
Faber, George Denison
Fardell, Sir T. George
Fellowes, Hon. Ailwyn Edw.
Field, Admiral (Eastbourne)
Finlay, Sir Robert Bannatyne
Fisher, William Hayes
Fitzgerald, Sir Robert Penrose-
Fitz Wygram, General Sir F.
Flower, Ernest
Fry, Lewis
Galloway, William Johnson
Garfit, William
Gibbons, J. Lloyd
Giles, Charles Tyrrell
Goldsworthy, Major-General
Gordon, Hon. John Edward
Gorst, Rt. Hon. Sir J. Eldon
Goulding, Edward Alfred
Greville, Hon. Ronald
Gull, Sir Cameron
Gunter, Colonel
Halsey, Thomas Frederick
Hanbury, Rt. Hn. Robert Wm.
Hanson, Sir Reginald
Hardy, Laurence
Hermon-Hodge, Robert Trotter
Hickman, Sir Alfred
Hoare, E. Brodie (Hampstead)
Hobhouse, Henry
Howard, Joseph
Howell, William Tudor
Hutton, John (Yorks, N.R.)
Jackson, Rt. Hn. Wm. Lawies
Jebb, Sir Richard Claverhouse
Jeffreys, Arthur Frederick
Johnstone, Heywood (Sussex)
Kenyon-Slaney, Col. William
Knowles, Lees
Lafone, Alfred
Lawrence, Sir E. Durning- (Corn
Lawrence, Wm. F. (Liverpool)
Lawson, John Grant (Yorks)
Lawson, Sir Wilfrid (Cumb'l'd)
Lecky, Rt. Hon. William Ed. H.
Leigh-Bennett, Henry Currie
Llewelyn, Sir Dillwyn- (Sw'ns'a
Loder, Gerald Walter Erskine
Long, Rt. Hn. Walter (L'pool)
Lopes, Henry Yarde Buller
Lowe, Francis William
Lowles, John
Lowther, Rt. Hn. Jas. (Kent)
Loyd, Archie Kirkman
Macartney, W. G. Ellison
Macdona, John Cumming
Maclure, Sir John William
M'Killop, James
Malcolm, Ian
Maple, Sir John Blundell
Melville, Beresford Valentine
Meysey-Thompson, Sir H. M.
Milbank, Sir Powlett Chas. J.
Milward, Colonel Victor
Monckton, Edward Philip
Monk, Charles James
Moore, William (Antrim, N.)
More, Robt. J. (Shropshire)
Morgan, Hn. F. (Monmouthsh.)
Morrell, George Herbert
Morton, A. H. A. (Deptford)
Mount, William George
Mowbray, Sir Robert Gray C.
Muntz, Philip A.
Murray, Charles J. (Coventry)
Murray, Col. Wyndham (Bath
Myers, William Henry
Nicol, Donald Ninian
Nussey, Thomas Willans
O'Neill, Hon. Robert Torrens
Penn, John
Percy, Earl
Powell, Sir Francis Sharp
Pretyman, Ernest George
Pryce-Jones, Lt.-Col. Edward
Purvis, Robert
Pym, C. Guy
Rankin, Sir James
Ridley, Rt. Hn. Sir Matthew W.
Ritchie, Rt. Hon. C. Thomson
Round, James
Russell, Gen. F. S. (Cheltenham
Samuel, Hy. S. (Limehouse)
Sharpe, William Edward T.
Sidebotham, J. W. (Cheshire)
Sidebottom, William (Derbysh.
Simeon, Sir Barrington
Sinclair, Louis (Romford)
Smith, Abel H. (Christchurch)
Smith, James Parker (Lanarks.
Smith, Hn. W. F. D. (Strand)
Spencer, Ernest
Stanley, Hon. A. (Ormskirk)
Stanley, Edw. Jas. (Somerset)
Stewart, Sir Mark J. M'Taggart
Stone, Sir Benjamin
Strachey, Edward
Talbot, Rt. Hn. J. G (Oxf'd Univ.
Thornton, Percy M.
Tomlinson, Wm. Edw. Murray
Warr, Augustus Frederick
Welby, Sir Charles G. E. (Notts.
Williams, Joseph Powell (Birm.
Willoughby de Eresby, Lord
Willox, Sir John Archibald

Wilson, John (Falkirk)	Wylie, Alexander	Younger, William
Wilson-Todd, W. H. (Yorks.)	Wyndham, George	TELLERS FOR THE AYES—Sir William Walrond and Mr. Anstruther.
Wodehouse, Rt. Hn. E. R. (Bath	Wyvill, Marmaduke D'Arcy	
Wortley, Rt. Hn. C. B. Stuart-	Young, Commander (Berks, E.)	

NOES.

Allan, William (Gateshead)	Harwood, George	Reckitt, Harold James
Ashton, Thomas Gair	Hayne, Rt. Hon. Chas. Seale-	Richardson, J. (Durham, S.E.)
Austin, M. (Limerick, W.)	Hedderwick, Thomas Chas. H.	Samuel, J. (Stockton-on-Tees)
Baker, Sir John	Hemphill, Rt. Hn. Charles H.	Shaw, Charles Ed. (Stafford)
Barlow, John Emmott	Holland, William Henry	Sinclair, Capt. J. (Forfarshire)
Billson, Alfred	Horniman, Frederick John	Soames, Arthur Wellesley
Brigg, John	Jameson, Major J. Eustace	Souttar, Robinson
Buchanan, Thomas Ryburn	Joicey, Sir James	Stanhope, Hon. Philip J.
Burt, Thomas	Jones, Wm. (Carnarvonshire)	Sullivan, Donal (Westmeath)
Buxton, Sydney Charles	Kitson, Sir James	Tennant, Harold John
Caldwell, James	Lewis, John Herbert	Thomas, A. (Glamorgan, E.)
Cameron, Sir Chas. (Glasgow)	Lloyd-George, David	Wallace, Robert
Causton, Richard Knight	Macaleese, Daniel	Warner, Thomas Courtenay T.
Colville, John	MacNeill, John Gordon Swift	Wason, Eugene
Crombie, John William	M'Ghee, Richard	Wedderburn, Sir William
Dillon, John	M'Laren, Charles Benjamin	Williams, John Carvell (Notts)
Donelan, Captain A.	Maddison, Fred.	Wilson, Henry J. (York, W.R.)
Doogan, P. C.	Mandeville, J. Francis	Wilson, J. (Durham, Mid)
Farquharson, Dr. Robert	Mappin, Sir Frederick Thorpe	Wilson, John (Govan)
Fenwick, Charles	Morgan, J. Lloyd (Carmarthen	Yoxall, James Henry
Flavin, Michael Joseph	O'Brien, Patrick (Kilkenny)	
Flynn, James Christopher	O'Connor, Arthur (Donegal)	TELLERS FOR THE NOES—Mr. Channing and Mr. Price.
Fox, Dr. Joseph Francis	Palmer, George W. (Reading)	
Gladstone, Rt. Hn. Herbert J.	Philipps, John Wynford	
Goddard, Daniel Ford	Pickard, Benjamin	

Formal Amendments made.

MR. CHANNING: The point raised by the Amendment standing in my name is very simple and specific, and one to which the tenant farmers have, in their various gatherings, attached exceptional importance. It is that the time over which a landlord shall be entitled to set up a counterclaim for acts of waste or breaches of covenant committed by the tenant, which is now restricted by the existing Act to four years, should be restricted to two years before the determination of the tenancy. I wish to lay concisely before the House the grounds upon which I move this Amendment. It has been felt in the Chambers of Agriculture, and in the reports of their committees, which have been laid by deputation and otherwise before the right hon. Gentleman, that it is desirable, in the interest of both parties, that there should be a time limit to these counterclaims for waste or breaches of covenant. I will at once say that if the right hon. Gentleman objects to the insertion of this Amendment at this particular point, it is quite immaterial to me at what point in the Bill it is inserted. I especially base the case for my Amendment upon the Report signed by the majority of the Royal Commission on Agriculture, of which the right hon. Gentleman was a member. At the close of the chapter of the Report dealing with proposed amendments, there is a summary of recommendations, and the sixteenth of these recommendations is—

> "We recommend that the period in respect of which the landlord may consider claim for acts of waste or breaches of covenant under Section 6 of the Act, should be limited in all tenancies from year to year, to a period of two years."

Objection may be taken to the form of my Amendment, by saying that the recommendation of the Royal Commission only concerns tenancies from year to year. The majority of tenancies in England are from year to year, but this would not have application to Scotch tenancies. That is a matter which the right hon. Gentleman may perfectly easily deal with in some other portion of the Bill, by some form of limitation of this provision. What I insist on is that, after having considered the evidence of a great number of witnesses, the Royal Commission did arrive at the conclusion that in respect of all tenancies from year to year, the landlord's counterclaim should be limited to two years. Now the argument for this is very simple. In estate management it would be far better that acts of waste should be checked at the earliest possible moment. It would

also simplify procedure in arbitrations under the Act. If the Bill is left in its present form the landlord or his agent may ransack the distant past to set up a counterclaim for various dilapidations, which the landlord or his agent might have long since checked. The Amendment has the unanimous support of the Chambers of Agriculture, and the hon. Member for North Hampshire supported it upstairs. So far as I understand, the arguments against it are only two: first, that it was desirable to increase rather than diminish the inducements to landlords to come under the Bill; and, second, that the Statute of Limitations would operate to check these counterclaims if they were carried beyond the limits that would make them outrageous I concede that the Statute of Limitations would check counterclaims going beyond six years, but it would not be fair to the tenant to allow the landlord to spring upon him a counterclaim for transactions going back six years, which ought to have been checked long before.

Amendment proposed—

"In page 2, line 24, after the word 'tenant,' to insert the words 'within two years before the determination of the tenancy.'"—(*Mr. Channing.*)

Question proposed, "That those words be there inserted."

*MR. LONG: The hon. Gentleman says that the Royal Commission recommended that in the case of tenants from year to year the limitation placed on the landlord's power to recover for acts of waste and breaches of covenant should be two years; but the Royal Commission had not, in making the recommendation, got before them, as the Government have since had, a general reform and amendment of the law in order to make the position of tenants more satisfactory. This proposal is one which conflicts at once with the amendment of the law which we ask the House to adopt. The hon. Gentleman said that the landlord might ransack the records of a farm for an unlimited period in order to set up a counterclaim for waste and breaches of covenants, but the Statute of Limitations would limit the landlord's power to do so to a period of only six years.

MR. S. T. EVANS (Glamorganshire, Mid): Twenty years in the case of leases.

*MR. LONG: That does not interfere with my argument. The landlord is restricted in the recovery of his rights by the Statute of Limitations, and consequently what you do under this Bill, unless you take away from him the statutory right he now enjoys, would merely affect the manner in which he obtains redress. If the hon. Gentleman's Amendment were accepted the result would be that the landlord would claim under the Act for waste for a period of two years, but would still retain his right to claim for the further period of four years at common law. That would involve a dual procedure. The object of the Government in providing this machinery, and also in giving the landlord, for the first time, the power of bringing all his claims into a single arbitration, is, that all the differences between landlord and tenant may be embraced in one settlement. We believe it to be to the advantage of both landlord and tenant to have a complete statement of the case on each side. Hitherto there has been necessarily no knowledge on the part of the tenant, in a settlement under the Agricultural Tenants' Compensation Act, of the claims that the landlord might intend to make at common law. If the procedure provided in the Bill be availed of by the landlord, he will be able to make a full claim before the arbitrator, and the tenant and arbitrator will know what that full claim amounts to If the Amendment of the hon. Gentleman were to be adopted, this procedure would be materially interfered with, because the landlord would only claim under the Act for two years, while he would have an action at common law for four years more or longer. I ask the House not to adopt the Amendment, not because I do not share the opinion of the Royal Commission, but because, generally speaking, the landlord should exercise his rights as against his tenants during the tenancy, and not allow them to accumulate until the end of it. In the interests of good husbandry, and in those of the tenant and landlord, it is desirable that the landlord or his agent should know what is being done by the tenant, and if he believes that there is waste going on, or breaches of covenants taking place, he should step in and stop them, or let the tenant know that he means to recover in respect of them.

MR. HEDDERWICK: I think my hon. friend would be well advised to with-

draw this Amendment or to re-draft it; because, although there is a good deal in the argument he used as applied to tenancies from year to year, it is quite clear that harm would be done in the case of other tenancies. It is quite true that the Royal Commission did advise the limitation of the landlords' claim in respect of waste to two years where the tenancy was from year to year, and the reason was obvious. Because in tenancies of that description it was always within the landlord's power to put an end to the tenancy at the termination of the year, and if he allows the waste to go on from year to year he has only himself to blame for the result. But the scope of the Amendment is not limited to tenancies from year to year. There are many other tenancies affected by the Bill—for instance, those in Scotland, which are generally for a period of nineteen years—and in tenancies of that description it is perfectly obvious that the landlord would have no power over the tenant, although he might be wasting the land for many years. Unless my hon. friend limits the application of his Amendment strictly to tenancies from year to year, I shall feel compelled to go into the Lobby against it.

Question put, and negatived.

Other Amendments made.

Amendment proposed—

"In page 2, line 28, after 'party,' to insert 'given by post or otherwise not later than seven days after the appointment of the arbitrator or arbitrators.'"—(*Mr. Long.*)

Question proposed, "That those words be there inserted."

MR. STRACHEY (Somersetshire, S.) said that under this Amendment the notices might be sent in a halfpenny wrapper, and they all knew that documents in such wrappers often went wrong or were lost.

MR. JEFFREYS (Hampshire, N.) said that he had an Amendment on the Paper to the effect that the landlord should, before the determination of the tenancy, send in writing to the tenant a claim in respect of any waste or breach of covenant, provided that the landlord should have the power, within twenty-eight days after the determination of the tenancy, to amend his claim in respect to dilapidations to buildings occurring after the claim had been delivered. His object was that each should claim exactly what he believed due to him, and to do away with counter-claims in consequence of first claims. He had tried to pass the Amendment upstairs, but the Committee were against him. He was glad that the right hon. Gentleman had proposed this Amendment, that the claims should be put in not later than seven days after the appointment of the arbitrator. That was a very important concession, and he thought that under the circumstances it was very fair to both parties, and it had been accepted at a meeting of the Chamber of Agriculture the day before.

COMMANDER BETHELL was obliged to differ from the hon. Member for North Hampshire. The view of the farmers in the East Riding was that the old plan was better—that the tenant should make his claim, and that afterwards the landlord should make his so-called counter-claim. He had moved an Amendment in that direction upstairs, but the Committee took an unfavourable view of it. The right hon. Gentleman's Amendment was a sort of compromise between the extreme view held by the hon. Member for North Hampshire and that held by himself, and he supposed that, although he believed it would have been better had the old plan been adhered to, he must accept what he could get.

COLONEL MILWARD (Warwickshire, Stratford-upon-Avon) did not think the Amendment would amount to very much in practice, because the first sub-section of the clause premised that the landlord and the tenant would first of all meet and endeavour to come to some agreement as to compensation. He believed that valuers would be present and take part in these deliberations, and that it would be only after they failed to come to an agreement that the arbitrator would be appointed. The Amendment, however, seemed to encourage them to go on with arbitration instead of by preliminary agreement.

*MR. LONG: The hon. and gallant Gentleman is mistaken in his view. There is no prohibition of a friendly discussion between the landlord or his agent and the tenant to settle their differences, as in-

deed they do in a great majority of cases. But where that is not done, and differences of opinion arise as to the particular value of particular improvements, or otherwise, then the arbitrator is called in to decide. The effect of this Amendment is to compel the landlord to bring in his claim within seven days after the appointment of the arbitrator, and it would simply prevent delay.

MR. S. T. EVANS said that this Amendment would effect one very serious alteration of the law. The right hon. Gentleman might not be aware of a decision of the Courts four or five years ago, under the principal Act, to the effect that the landlord might have a set-off against the tenant, but could not recover a sum that would overtop the claim of the tenant. It was perfectly clear that under this Amendment the landlord could recover the whole of his counter-claim.

*MR. LONG: That is undoubtedly the whole scheme of the Bill. Our object is to abolish the present law by which the landlord can put in a claim as a set-off under the principal Act, but he likewise enjoys his power at common law to claim and recover in many other matters. What we seek here is to induce the landlord to bring all his claims into one procedure, and not to have a dual arbitration—one under the Act, and the other at common law.

The Amendment was amended by leaving out "by post or otherwise" and inserting "by registered letter"; and, so amended, was agreed to.

Formal Amendments made.

COLONEL MILWARD, in moving the next Amendment standing in his name, said he was very anxious, in consequence of very strong representations which he had received from the country, that the right hon. Gentleman should state exactly what the course of the procedure would be in reference to arbitration. The sub-section, as it now stood, he thought, was fantastic. It said, "An arbitration shall, unless the parties otherwise agree, be by a single arbitrator." That was to say, either party might force the other to have a single arbitrator. The law hitherto, except in the Scotch Act of 1889, was that if either party objected to a single arbitrator there would be two arbitrators together with an umpire. This was provided for both in the principal Act, and in the Arbitration Act of 1889.

THE ATTORNEY GENERAL (Sir ROBERT FINLAY, Inverness Burghs): If my hon. and gallant friend will excuse me, the section in the Arbitration Act makes provision for various cases. First, if the parties do not agree to a single arbitrator they apply to the court to appoint one; and then there is the other case where two arbitrators are appointed with an umpire.

COLONEL MILWARD said he was obliged to the Attorney General for his correction. He thought that it would be much more simple and English to go back to the Act of 1889, and say that a single arbitrator might be appointed, but if the parties did not concur, then the two arbitrators with an umpire should be appointed. He did not think that the question of expense would come in, because he could not conceive of any case in which each of the parties was not assisted from the first by a valuer. He was strongly in favour of a single arbitrator where both parties concurred, but he thought it would be very hard, if one of them wished to have two arbitrators and an umpire, that the Act should prevent it. He begged to move his Amendment.

Amendment proposed—

"In page 2, line 39, to leave out sub-section (5) of Clause 2, and insert '(5) If the parties concur there may be a single arbitrator appointed by them jointly, but if the parties do not concur in the appointment of a single arbitrator, each of them shall appoint an arbitrator, and the arbitrators so appointed shall appoint an umpire.'"—(*Colonel Milward.*)

Question proposed, "That the words 'An arbitrator shall' stand part of the Bill."

*MR. LONG: I am afraid my hon. and gallant friend has got confused as to the operation of the Act. The Arbitration Act of 1889 adopts the principle of a single arbitrator, and the section to which the attention of the House has been called merely provides the necessary machinery for the appointment of an arbitrator or the appointment of two arbitrators and an umpire in the event of their being required. What my

hon. friend suggests is that the proposal of the Bill that where the arbitration procedure is adopted the presumption shall be in favour of a single arbitrator. The parties, as I have previously pointed out, have full power to act according to agreement, and if they desire to have two arbitrators they duplicate the procedure; but the recommendation of the Royal Commissioners is that there should be one arbitrator. My hon. friend appears to be confused in his mind as to the duties of an arbitrator. If either party chooses to be advised by a skilled adviser they are entitled to employ him either before or after the arbitrator is appointed. The system my hon. friend advocates has long ago been dealt with, because it really amounts to this, that under the system of two valuers and an umpire they appoint an equitable judge who occupies the position of a single arbitrator. But those who do not require skilled advice can go before a single arbitrator and state their case and rely upon his position to secure fair treatment. There is, therefore, absolute freedom for the parties either to proceed on their own powers or the powers of their skilled advisers. All we say is that the court to which these cases come should be presided over by a single arbitrator who would hear and decide the case, rather than a court composed of two arbitrators with an umpire selected by them. It is self-evident that the new machinery tends not only in the direction of efficiency, but also of economy, and I hope the hon. Gentleman will not persist in a proposal which would only be destructive to a part of the Bill which only tends to cheapen the machinery.

COLONEL MILWARD, expressing satisfaction with the explanation of the right hon. Gentleman, begged leave to withdraw his Amendment.

Amendment, by leave, withdrawn.

MR. BUCHANAN said he hoped that, after the remarks he had just made, the right hon. Gentleman would support the Amendment he now proposed to move, because that Amendment simply carried out the principle which the right hon. Gentleman had just enunciated. The right hon. Gentleman had pointed out a few moments previously that the main object of the Bill before the House was that in the future the court should consist of a single arbitrator. All that this Amendment proposed was to insure that that should be the procedure, and that there should be no possibility of any other procedure being adopted. There was a great consensus of opinion throughout the country as to the cumbersome machinery of the old Act, but after what the right hon. Gentleman had said he did not think he need labour that point. There was another Bill before the House in which the principle of a single arbitrator was proposed without any appeal whatever, and although he did not intend to propose that such a clause should be put into this Bill, it certainly was an argument in favour of a single arbitrator. But if the clause as it now stood was incorporated in the Bill very little benefit would accrue, because the landlords would always endeavour to make such a provision in their agreements with the tenants that if a tenant desired to take advantage of the proceeding under the Bill he would be compelled to agree to two arbitrators. The object of his Amendment was to prevent that, and in moving the Amendment he was only endeavouring to fortify the Bill in the direction which the right hon. Gentleman thought would confer the greatest benefit on the rural community. He begged to move.

Amendment proposed—

"In page 2, line 39, to leave out the words, 'unless the parties otherwise agree.'"—(*Mr. Buchanan.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

SIR ROBERT FINLAY said he hoped the hon. Gentleman would not press the Amendment. The Government considered that the best form of arbitration was before one arbitrator, but it did not necessarily follow that that form ought to be made compulsory upon those who preferred another form of arbitration. All that the Government proposed was that where the parties did not otherwise agree there should be one arbitrator. He therefore hoped the Amendment would not be pressed.

Question put.

The House divided:—Ayes, 189; Noes, 77. (Division List No. 207.)

AYES.

Acland-Hood, Capt. Sir Alex. F.
Arrol, Sir William
Atkinson, Rt. Hon. John
Baird, John Geo. Alexander
Balfour, Rt. Hn. A. J. (Manch'r)
Balfour, Rt. Hn. G. W. (Leeds)
Beach, Rt. Hn. Sir M. H. (Bristol
Beaumont, Wentworth C. B.
Bethell, Commander
Biddulph, Michael
Bill, Charles
Boscawen, Arthur Griffith-
Boulnois, Edmund
Brassey, Albert
Brodrick, Rt. Hon. St. John
Bullard, Sir Harry
Campbell, Rt. Hn. J. A. (Gl'gow
Carson, Rt. Hon. Sir Edw. H.
Cavendish, R. F. (N. Lancs.)
Cavendish, V. C. W (Derbyshire
Cayzer, Sir Charles William
Cecil, Evelyn (Hertford, E.)
Cecil, Lord Hugh (Greenwich)
Chamberlain, Rt. Hon. J. (Birm)
Chamberlain, J. Austen (Worc'r
Chaplin, Rt. Hon. Henry
Charrington, Spencer
Chelsea, Viscount
Coddington, Sir William
Cohen, Benjamin Louis
Collings, Rt. Hon. Jesse
Colston, Chas. Edw. H. Athole
Corbett, A. Cameron (Glasgow
Cornwallis, Fiennes Stanley W.
Cox, Irwin Edwd. Bainbridge
Cripps, Charles Alfred
Cross, Alexander (Glasgow)
Cross, Herb. Shepherd (Bolton
Dalkeith, Earl of
Dalrymple, Sir Charles
Davies, Sir H. D. (Chatham)
Dickinson, Robert Edmond
Digby, John K. D. Wingfield-
Dixon-Hartland, Sir F. Dixon
Donkin, Richard Sim
Dorington, Sir John Edward
Douglas, Rt. Hon. A. Akers-
Doxford, Sir William T.
Egerton, Hon. A. de Tatton
Faber, George Denison
Fardell, Sir T. George
Field, Admiral (Eastbourne)
Finch, George H.
Finlay, Sir Robert Bannatyne
Fisher, William Hayes
FitzGerald, Sir Robt. Penrose-
Fitz Wygram, General Sir F.
Galloway, William Johnson
Garfit, William
Gibbons, J. Lloyd
Giles, Charles Tyrrell
Godson, Sir Augustus Fredk.
Goldsworthy, Major-General
Gordon, Hon. John Edward
Gorst, Rt. Hon. Sir John Eldon
Goschen, George J. (Sussex)
Goulding, Edward Alfred
Green, Walford D. (Wednesb'y
Greene, H. D. (Shrewsbury)
Greville, Hon Ronald
Gull, Sir Cameron
Gunter, Colonel
Halsey, Thomas Frederick
Hamilton, Rt. Hon. Lord George
Hanbury, Rt. Hon. R. Wm.
Hanson, Sir Reginald
Hardy, Laurence
Hermon-Hodge, Robert Trotter
Hickman, Sir Alfred
Hoare, Ed. Brodie (Hampstead)
Hobhouse, Henry
Hornby, Sir William Henry
Houston, R. P.
Howell, William Tudor
Hutchinson, Capt. G. W. Grice-
Hutton, John (Yorks. N. R.)
Jeffreys, Arthur Frederick
Johnstone, Heywood (Sussex)
Kenyon-Slaney, Col. William
Knowles, Lees
Lafone, Alfred
Lawrence, Sir E. D. (Cornw'll)
Lawrence, W. F. (Liverpool)
Lawson, John Grant (Yorks)
Leighton, Stanley
Llewelyn, Sir Dillwyn (Swansea
Long, Rt. Hn. Walter (Liverp'l.
Lonsdale, John Brownlee
Lopes, Henry Yarde Buller
Lowe, Francis William
Lowles, John
Lowther, Rt. Hn. James (Kent)
Loyd, Archie Kirkman
Lucas-Shadwell, William
Macartney, W. G. Ellison
Macdona, John Cumming
Maclure, Sir John William
M'Killop, James
Manners, Lord Edward W. J.
Maple, Sir John Blundell
Martin, Richard Biddulph
Melville, Beresford Valentine
Meysey-Thompson, Sir H. M.
Milbank, Sir Powlett C. J.
Milward, Colonel Victor
Monckton, Edward Philip
Monk, Charles James
Moore, William (Antrim, N).
More, Robt. Jasper (Shropshire)
Morgan, Hn. F. (Monm'thsh.)
Morrell, George Herbert
Morrison, Walter
Morton, A. H. A. (Deptford)
Mount, William George
Mowbray, Sir Robert Gray C.
Muntz, Philip A.
Murray, Rt Hn A. Graham (Bute
Murray, Chas. J. (Coventry)
Myers, William Henry
Nicol, Donald Ninian
O'Neill, Hon. Robert Torrens
Parkes, Ebenezer
Peel, Hn. Wm. Robt. Wellesley
Pender, Sir James
Penn, John
Percy, Earl
Platt-Higgins, Frederick
Powell, Sir Francis Sharp
Pretyman, Ernest George
Pryce-Jones, Lt.-Col. Edw.
Purvis, Robert
Rankin, Sir James
Rasch, Major Frederic Carne
Ridley, Rt. Hn. Sir Matthew W.
Ritchie, Rt. Hon. C. Thomson
Robinson, Brooke
Rollit, Sir Albert Kaye
Russell, Gen. F. S. (Cheltenhm)
Russell, T. W. (Tyrone)
Samuel, Harry S. (Limehouse)
Sassoon, Sir Edward Albert
Savory, Sir Joseph
Sharpe, William Edward T.
Shaw-Stewart, M. H. (Renfrew
Sidebotham, J. W. (Cheshire)
Sidebottom, T. H. (Stalybr.)
Sidebottom, Wm. (Derbysh.)
Simeon, Sir Barrington
Sinclair, Louis (Romford)
Smith, Abel H. (Christchurch)
Smith, J. Parker (Lanarks.)
Smith, Hon. W. F. D. (Strand
Spencer, Ernest
Stanley, Hon. A. (Ormskirk)
Stanley, Edward J. (Somerset)
Stanley, Sir H. M. (Lambeth)
Stewart, Sir M. J. M'Taggart
Strachey, Edward
Talbot, Rt Hn J. G. (Oxf'd Univ.)
Thornton, Percy M.
Tollemache, Henry James
Tomlinson, Wm. Edw. Murray
Vincent, Sir Edgar (Exeter)
Warr, Augustus Frederick
Welby, Sir C. G. E. (Notts.)
Wharton, Rt. Hon. John Lloyd
Whitmore, Charles Algernon
Williams, Jos. Powell- (Birm.)
Willoughby de Eresby, Lord
Willox, Sir J. Archibald
Wilson, John (Falkirk)
Wilson-Todd, Wm. H. (Yorks.)
Wodehouse, Rt. Hon. E. R. (Bth
Wortley, Rt. Hn. C. B. (Stuart-
Wylie, Alexander
Wyndham, George
Wyvill, Marmaduke D'Arcy
Young, Commander (Berks, E.)
Younger, William

TELLERS FOR THE AYES—
Sir William Walrond and
Mr. Anstruther.

NOES.

Allan, William (Gateshead)
Ashton, Thomas Gair
Baker, Sir John
Barlow, John Emmott
Billson, Alfred
Burns, John
Burt, Thomas
Buxton, Sydney Charles
Caldwell, James
Campbell-Bannerman, Sir H.
Causton, Richard Knight
Cawley, Frederick
Channing, Francis Allston
Colville, John
Crombie, John William
Dilke, Rt. Hon. Sir Charles
Dillon, John
Donelan, Captain A.
Doogan, P. C.
Dunn, Sir William
Evans, Samuel T. (Glamorgan)
Fenwick, Charles
Flavin, Michael Joseph
Fox, Dr. Joseph Francis

Gladstone, Rt. Hn. Herbert J.	Molloy, Bernard Charles	Steadman, William Charles
Goddard, Daniel Ford	Morgan, J. Lloyd(Carmarthen	Sullivan, Donal (Westmeath)
Hayne, Rt. Hon. Charles Seale-	Morgan, W. Pritchard(Merthyr	Tanner, Charles Kearns
Hedderwick, Thomas Charles H	Moulton, John Fletcher	Tennant, Harold John
Holland, William Henry	O'Brien, James F. X. (Cork)	Thomas, Alfred (Glamorgan, E)
Horniman, Frederick John	O'Brien, Patrick (Kilkenny)	Trevelyan, Charles Philips
Jameson, Major J. Eustace	O'Connor, Arthur (Donegal)	Walton, Joseph (Barnsley)
Joicey, Sir James	Oldroyd, Mark	Wason, Eugene
Jones, William (Carnarvonsh.	Pease, Joseph A. (Northumb.)	Wedderburn, Sir William
Kitson, Sir James	Philipps, John Wynford	Whittaker, Thomas Palmer
Lawson, Sir Wilfrid(Cumb'land	Pickard, Benjamin	Williams, John Carvell(Notts.
Lewis, John Herbert	Pilkington, Sir G. A. (Lancs SW.	Wilson, John (Durham, Mid)
Lloyd-George, David	Price, Robert John	Wilson, John (Govan)
Macaleese, Daniel	Reid, Sir Robert Threshie	Young, Samuel (Cavan, East)
MacNeill, John Gordon Swift	Samuel, J. (Stockton-on-Tees)	Yoxall, James Henry
M'Arthur, William (Cornwall	Sinclair, Capt. J. (Forfarshire)	
M'Ghee, Richard	Soames, Arthur Wellesley	TELLERS FOR THE NOES—
Maddison, Fred.	Spicer, Albert	Mr. Buchanan and Mr.
Mappin, Sir Frederick Thorpe	Stanhope, Hon. Philip J.	Wallace.

MR. BUCHANAN said the Amendment he now desired to move raised a question of considerable importance with reference to the right to appeal. The principle as at present laid down was that there should only be an appeal upon a question of law, but it had been pointed out that the only way in which an appeal might be taken on the schedule was upon a question of law and of fact as well. And as he read the Bill he gathered that at any point of the proceedings a party could go to the judge at the county court and ask him to intervene in the proceedings, which practically amounted to an appeal on a question of fact as well as law. From the county court there was an appeal to the High Court of England or the Court of Session of Scotland. The House had heard many explanations of how this Bill was to simplify and cheapen procedure; but if these appeals were allowed, instead of the cost being decreased there would be a very substantial increase. The object of his Amendment was to carry out the policy of the Bill as it had been set forth, which was to simplify and cheapen the procedure, and therefore he hoped it would be accepted. He begged to move.

Amendment proposed—

"In page 3, line 4, to leave out from the word 'final,' to the end of Sub-section 6 of Clause 2."—(*Mr. Buchanan.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

SIR ROBERT FINLAY said the point of the Amendment was that if a question of law arose out of an arbitration the decision of the county court judge should be final. The effect of this would be that there would be a great divergency of decisions, which surely was not desirable. One opinion would be held by one county court judge and one by another, and there would be no means of reconciling those opinions. The hon. Gentleman was under a misapprehension as to what the right hon. Gentleman the President of the Board of Agriculture had said. It was impossible that the President of the Board of Agriculture should have said that the Bill gave a right of appeal on a question of fact, because the only question for appeal was to be a question of law. Of course to arrive at the question of law the question of fact must be entered into, but the arbitrator having found the question of fact, his decision was binding on the parties.

MR. HEYWOOD JOHNSTONE (Sussex, Horsham) said it was desirable that questions of law should be settled once and for all. The county court judge was not to decide the law but to administer it, and if there was not an appeal to the High Court no settled decision would ever be arrived at. He hoped the right hon. Gentleman would not accept the Amendment to reduce the power of appeal so that the appeal could only be made to the county court or the Sheriff's Court, neither of which could give a decision which was binding.

MR. BUCHANAN, after the explanation of the right hon. Gentleman the Attorney General, begged leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

Amendment proposed—

"In page 3, line 13, after the word 'applies,' to insert the words, '(9) all claims, whether

by tenant or landlord, shall be in writing.' ''—(*Mr. Channing.*)

Question proposed, "That those words be there inserted."

SIR ROBERT FINLAY said that if this Amendment were carried it would lead to a great modification in the Bill which was not desirable, and therefore he hoped it would not be pressed. He had no doubt the claims would be in writing. That would be in the usual course of business.

MR. CHANNING begged leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

MR. BUCHANAN said that the object of the Amendment which he now proposed to move was to render the clause inapplicable to Scotland. He felt considerable difficulty in discussing the matter in the absence of his Scotch friends, but it appeared to him that the Government were here introducing in Scotland a new body for administrative and legal purposes which at present had no *locus standi* there. New duties were being given to the Board of Agriculture, which had neither offices nor officials in Scotland. He begged to move.

Amendment proposed—

"In page 3, line 34, to leave out the word 'sub-section,' and insert the word 'section.'" —(*Mr Buchanan.*)

Question proposed, "That the word 'sub-section' stand part of the Bill."

*MR. LONG assured the hon. Member that he was mistaken. Acts were being administered in Scotland by officials of the Board, by which landlords were enabled to improve their property under the control of the Board of Agriculture. Some of the most eminent and practical agriculturists in Scotland were acting as representatives of the Board, and they were carrying out their duties to the satisfaction of the community. The Government were therefore not introducing a great change of policy for the first time in respect of Scotland.

Question put.

The House divided :—Ayes, 170 ; Noes, 71. (Division List No. 208.)

AYES.

Allsopp, Hon. George
Arrol, Sir William
Atkinson, Rt. Hon. John
Baird, John G. Alexander
Balfour, Rt. Hn. A. J. (Manch'r)
Balfour, Rt. Hn. G. W. (Leeds)
Beach, Rt. Hn. Sir M. H. (Bristol
Beckett, Ernest William
Bethell, Commander
Biddulph, Michael
Boscawen, Arthur Griffith-
Boulnois, Edmund
Bowles, T. G. (King's Lynn)
Brassey, Albert
Brodrick, Rt. Hon. St. John
Bullard, Sir Harry
Campbell, Rt. Hn J A (Glasgow)
Carson, Rt. Hon. Sir Edw. H.
Cavendish, R. F. (N. Lancs.)
Cavendish, V. C. W. (Derbysh.)
Cayzer, Sir Charles William
Cecil, Evelyn (Hertford, East)
Cecil, Lord Hugh (Greenwich)
Chamberlain, Rt. Hon. J. (Bir.)
Chamberlain, J. A. (Worc'r)
Chaplin, Rt. Hon. Henry
Charrington, Spencer
Chelsea, Viscount
Coddington, Sir William
Collings, Rt. Hon. Jesse
Corbett, A. Cameron (Glasgow
Cornwallis, Fiennes Stanley W.
Cox, Irwin Edward Bainbridge
Cripps, Charles Alfred
Cross, Alexander (Glasgow)
Cross, H. Shepherd (Bolton)
Dalkeith, Earl of
Davies, Sir Horatio D (Chatham
Dickinson, Robert Edmond
Digby, John K. D. Wingfield-
Dixon-Hartland, Sir F. Dixon
Dónkin, Richard Sim
Dorington, Sir John Edward
Douglas, Rt. Hon. A. Akers-
Doxford, Sir Wm. Theodore
Faber, George Denison
Fardell, Sir T. George
Field, Admiral (Eastbourne)
Finch, George H.
Finlay, Sir Robt. Bannatyne
Fisher, William Hayes
Flannery, Sir Fortescue
Fry, Lewis
Galloway, William Johnson
Gibbons, J. Lloyd
Giles, Charles Tyrrell
Godson, Sir Augustus Frederick
Goldsworthy, Major-General
Gordon, Hon. John Edward
Gorst, Rt. Hon. Sir John E.
Goschen, Geo. J. (Sussex)
Goulding, Edward Alfred
Greene, H. D. (Shrewsbury)
Greville, Hon. Ronald
Gull, Sir Cameron
Gunter, Colonel
Halsey, Thomas Frederick
Hamilton, Rt. Hon. Lord G.
Hanbury, Rt. Hon. Robert W.
Hanson, Sir Reginald
Hardy, Laurence
Helder, Augustus
Hickman, Sir Alfred
Hoare, Ed. Brodie (Hampstead
Hobhouse, Henry
Hornby, Sir William Henry
Houston, R. P.
Howell, William Tudor
Hutchinson, Capt. G. W. Grice-
Hutton, John (Yorks, N.R.)
Jeffreys, Arthur Frederick
Johnstone, Heywood (Sussex)
Kimber, Henry
Knowles, Lees
Lafone, Alfred
Lawrence, Wm. F. (Liverpool)
Lawson, John Grant (Yorks.)
Leighton, Stanley
Llewelyn, Sir Dillwyn-(Sw'sea)
Loder, Gerald Walter Erskine
Long, Rt. Hon. W. (Liverpool)
Lopes, Henry Yarde Buller
Lowles, John
Lowther, Rt. Hn. James (Kent
Loyd, Archie Kirkman
Lucas-Shadwell, William
Macartney, W. G. Ellison
Macdona, John Cumming
MacIver, David (Liverpool)
M'Iver, Sir Lewis (Edin. W.)
M'Killop, James
Malcolm, Ian
Manners, Lord Edward W. J.
Mellor, Colonel (Lancashire)
Milbank, Sir Powlett C. J.
Milner, Sir Frederick George
Milward, Colonel Victor
Monckton, Edward Philip
Monk, Charles James
Moore, William (Antrim, N.)
Morgan, Hn. F. (Monmouth'sh
Morrell, George Herbert
Morrison, Walter
Morton, A. H. A. (Deptford)

Mowbray, Sir Robert Gray C.	Robinson, Brooke	Tomlinson, Wm. Edw. Murray
Murray, Rt. Hn. A. G. (Bute)	Round, James	Vincent, Sir Edgar (Exeter)
Murray, Charles J. (Coventry)	Russell, T. W. (Tyrone)	Warr, Augustus Frederick
Myers, William Henry	Samuel, Harry S. (Limehouse)	Welby, Sir Charles G. E. (Notts)
Nicholson, William Graham	Sassoon, Sir Edward Albert	Wharton, Rt. Hon. J. Lloyd
Nicol, Donald Ninian	Seely, Charles Hilton	Williams, J. Powell- (Birm.)
O'Neill, Hon. Robert Torrens	Sharpe, William Edward T.	Willoughby de Eresby, Lord
Parkes, Ebenezer	Shawe-Stewart, M. H. (Renfrew	Willox, Sir John Archibald
Peel, Hn. William R. Wellesley	Sidebottom, William (Derbysh.	Wilson, John (Falkirk)
Pender, Sir James	Sinclair, Louis (Romford)	Wilson-Todd, W. H. (Yorks.)
Penn, John	Smith, Abel H. (Christchurch)	Wodehouse, Rt. Hn. E. R. (Bath
Percy, Earl	Smith, James Parker (Lanarks.	Wortley, Rt. Hon. C. B. Stuart-
Pierpoint, Robert	Smith, Hon. W. F. D. (Strand)	Wylie, Alexander
Pretyman, Ernest George	Spencer, Ernest	Wyndham, George
Pryce-Jones, Lt.-Col. Edward	Stanley, Hn. Arthur (Ormskirk	Young, Commander (Berks, E.
Purvis, Robert	Stanley, Sir H. M. (Lambeth)	Younger, William
Rankin, Sir James	Stirling-Maxwell, Sir John M.	
Rasch, Major Frederic Carne	Talbot, Rt Hn J. G. (Oxf'd Univ.	TELLERS FOR THE AYES—
Ridley, Rt. Hn. Sir Matthew W.	Thornton, Percy M.	Sir William Walrond and
Ritchie, Rt. Hon Chas. Thomson	Tollemache, Henry James	Mr. Anstruther.

NOES.

Allan, William (Gateshead)	Hayne, Rt. Hon. Chas. Seale-	Reid, Sir Robert Threshie
Ashton, Thomas Gair	Horniman, Frederick John	Rollit, Sir Albert Kaye
Austin, M. (Limerick, W.)	Jones, Wm. (Carnarvonshire)	Runciman, Walter
Baker, Sir John	Kearley, Hudson E.	Samuel, J. (Stockton-on-Tees)
Barlow, John Emmott	Lawson, Sir W. (Cumberland)	Smith, Samuel (Flint)
Bayley, Thomas (Derbyshire)	Lewis, John Herbert	Stanhope, Hon. Philip J.
Bryce, Rt. Hon. James	Lloyd-George, David	Steadman, William Charles
Burns, John	Luttrell, Hugh Fownes	Strachey, Edward
Burt, Thomas	Macaleese, Daniel	Sullivan, Donal (Westmeath)
Caldwell, James	MacNeill, John Gordon Swift	Tanner, Charles Kearns
Cawley, Frederick	M'Ghee, Richard	Tennant, Harold John
Channing, Francis Allston	M'Kenna, Reginald	Thomas, Alfred (Glamorgan, E.
Colville, John	Maddison, Fred.	Trevelyan, Charles Philips
Crilly, Daniel	Morgan, J. L. (Carmarthen)	Wallace, Robert
Crombie, John William	Morgan, W. P. (Merthyr)	Walton, Joseph (Barnsley)
Dillon, John	Moulton, John Fletcher	Wason, Eugene
Doogan, P. C.	Norton, Capt. Cecil William	Wedderburn, Sir William
Dunn, Sir William	O'Brien, Patrick (Kilkenny)	Williams, John Carvell (Notts)
Evans, Samuel T. (Glamorgan	O'Connor, James (Wicklow, W.	Wilson, John (Durham, Mid)
Fenwick, Charles	Oldroyd, Mark	Woods, Samuel
Flavin, Michael Joseph	Pease, Joseph A. (Northumb.)	Young, Samuel (Cavan, East)
Flynn, James Christopher	Philipps, John Wynford	
Fox, Dr. Joseph Francis	Pickard, Benjamin	TELLERS FOR THE NOES—
Gladstone, Rt. Hn. Herbt. John	Pilkington, Sir G. A. (Lancs, SW	Mr. Buchanan and Captain
Goddard, Daniel Ford	Price, Robert John	Sinclair.

Motion made, and Question proposed, "That further proceedings on consideration, as amended (by the Standing Committee), be adjourned till To-morrow."—(*Mr. Moulton.*)

MR. DILLON (Mayo, E.): This motion has been made without a single word of explanation of the ground on which it has been made. I confess that I have waited for some time to see what course the Government were going to take on this motion, because it is in my experience perfectly unparalleled and unprecedented that in the course of any sitting of this House, when an important Government Bill is before the House, and is making rather slow progress, and with two pages of Amendments yet to be dealt with, a motion should be made for the adjournment of the proceedings until to-morrow without any justification whatever. I have never heard such a motion even submitted to the House, and it is certainly of an extraordinary character. That view is emphasised by the conduct of the Government, who have allowed the motion to be put to the House without the Minister in charge of the Bill giving us a word with reference to the motion. Why should we adjourn the proceedings on this Bill until to-morrow? Do the Government intend to drop or withdraw the Bill? Why are we stopping the Bill before the House in the middle of this important debate? I entirely fail to understand what the purpose of this motion is, and the only hint we have to guide us to the discovery of the reasons for this motion, and—what I attach a great deal more importance to—why the Government have received this motion on really an important matter, is the dark hint thrown out by the Leader of the House

yesterday when he said he understood it would be inconvenient for some Members of the House to sit after four o'clock to-day, and accordingly he proposed to suspend the discussion of this Bill. I contend, if that be the position of the Government, that they are bound to make their own motion in the matter, and to explain to the House why they make it. I am not surprised, from one point of view, that they have adopted this extraordinary course of throwing out this hint yesterday and then running away from their own motion and getting a private Member to make it, because, if it be true, as I have heard it alleged, that the only reason for adjourning the debate is that certain Members of the House desire to attend a garden party, it is the first time in the history of the House of Commons that public business has been stopped to facilitate the attendance of Members at a garden party. We ought to know what we are doing. This is not the first occasion when hon. Members of this House in great numbers have desired to attend a garden party. We had a garden party and a great entertainment on the occasion of the Queen's Jubilee. The Government on that occasion, I believe, suffered a defeat, and that may be the explanation of their conduct to-day. But I maintain that this is a new departure in the history of the British House of Commons, and the least we are entitled to is some explanation from the Government in support of it. I might mention another occasion—a much more solemn occasion certainly than anyone can pretend the occasion is to-day—that was the occasion of a Royal wedding which took place during the sitting of the House, when something might have been said on due notice in support of adjournment. I can conceive a Minister advocating an adjournment of public business to suit the convenience of Members of the House on that occasion—a much more solemn occasion than a garden party (laughter). I do not see anything ludicrous in a Royal wedding. It will be in the memory of hon. Members present that on the occasion to which I allude no proposal was made to interrupt public business for the convenience of gentlemen who desired to attend, and that the public business of the country in the House of Commons went on without interruption. I again assert that, as far as my knowledge goes—certainly as far as my experience goes—the British House of Commons has never been adjourned or public business interrupted for the purpose of allowing Members of the House to attend a garden party, and that is what we are called upon to do to-day, as far as we can gather from the gossip of the lobbies, for the Minister responsible for the motion has not deigned to give us any information. It was the practice of the House for a great many years to adjourn on the day of a great national festivity—namely, Derby Day; but a body of Members from the days since I first entered the House set themselves to abolish the practice as being a great abuse, and after fifteen or twenty years opposition, that practice, I believe, has been completely abolished by general consent, and we no longer adjourn. But now we are to set up a new practice, and, I think, a much more far-reaching, extraordinary and indefensible practice. The Derby comes but once a year, but who can say how many garden parties we may have in a year? A principle is to be laid down and a precedent established to-day that we are to adjourn the House of Commons and stop public business for the convenience of gentlemen who wish to attend garden parties. Where are we to draw the line? Are you going to adjourn the House for every Minister who chooses to attend a garden party? [AN HON. MEMBER: No.] Yes, I think we are entitled to know, before this precedent is established, where it is going to stop. If we adjourn the House to-day to enable hon. Members to attend a garden party at Buckingham Palace—I believe that is where it is to take place—why not adjourn for a garden party of the Prime Minister? You might have a garden party in the country where it would be inconvenient for Members to attend while the House is sitting. The principle is vicious, and I say it is a bad precedent. If the Government were resolved to form this totally new principle and to set up a precedent in this particular matter they ought to have given notice to the House. The proper time would have been question time yesterday, when the Minister in charge of this Bill could have got up in his place, and said frankly, "There is to be a Royal garden party, and we propose to adjourn the House of Commons to enable hon. Members to go to it." But a Minister gives a dark hint that it will be inconvenient for certain Members to attend the House this afternoon. He

does not withdraw the Bill or alter the business for the purpose of meeting the convenience of hon. Members. He announces that public business will be interrupted at a certain hour for the purpose of enabling hon. Members to go to some place, the nature of which he did not disclose. Instead of explaining the grounds on which the adjournment is asked, he allows a private Member to start up and make the motion. The course of procedure is utterly unprecedented in the history of the House.

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): The hon. Gentleman has suggested that there has been concealment in this matter. I deny that there has been any concealment on the part of the Government in connection with the motion for the adjournment of the debate on the Agricultural Holdings Bill. He spoke of dark hints and obscure suggestions. There have been no dark hints and obscure suggestions. There was a plain statement made by me last night based upon a plain reason which was given. The hon. Gentleman says we are starting a new and dangerous precedent in cutting off an hour's discussion upon this Bill to-day. I do not stop to inquire, although I might if I were inclined to indulge in personalities, whether the hon. Member has constantly and anxiously laboured to prevent the unnecessary expenditure of the time of this House. Let me ask, as a plain matter of business, what is my duty when it comes to my knowledge that it would be extremely inconvenient to Members of the House, and detrimental to public business, that we should carry on the public discussion during the remaining hour. When that question is put to me I answer that clearly it is in the general interest that the motion should be made, and on account of that general interest I propose to support it. There is no principle or dangerous precedent there. How often, in obedience to the convenience of a few Members, have not Bills been delayed from one day to another where there was far less necessity for that course than in this case! It appears to me that we have got a plain, practical ground for the course we propose to pursue.

MR. MOULTON (Cornwall, Launceston): I wish to make a personal explanation. I moved the adjournment because I have the next two Amendments on the Paper—I think they are important; and I did it because I understood that it was known throughout the House that contentious business was to cease at a quarter past four. I know that hon. Members have left the House thinking that further debate on this Bill would at that hour cease. I certainly did not intend to raise any cause of dissension in the House.

MR. JOHN WILSON (Durham, Mid): Like the hon. Member for East Mayo, I object to the adjournment of this debate. There are one or two important measures which may not be discussed this session for want of time. The Leader of the House has stated once or twice that the adjournment is asked to-day to meet the convenience of Members. I think it is incumbent that he should tell us how many Members are going to the garden party. I had no knowledge that there was to be a garden party until a few minutes ago, when the adjournment of the debate was moved. I think the Gentlemen who are going to enjoy themselves at the garden party, if they have been privileged with a Royal invitation, might have allowed those of us who are not, to go on with business. With the majority the Government have, I do not think they need fear a decrease of that majority by forty or fifty Members. I wish the right hon. Gentleman to tell us how many Members have received invitations, and how many Members will have their convenience interfered with. On this side, those who object to the adjournment of the debate might give way and allow those Members to go if there be a sufficient staff left to carry on the business. Why should the convenience of fifty or sixty Members be allowed to place itself in supremacy over the business of the country? I submit that the Government need not fear to go on with this Bill, because the division list has shown that, even when there has been a slight revolt on the part of the Government's followers, as happened last night on the question of the inherent capabilities of the soil, there has always been a sufficient majority to carry any Amendment the Government propose or to refuse any Amendment brought forward by an individual Member.

MR. MADDISON (Sheffield, Brightside): I join in the protest against the

adjournment of the debate. The explanation of the hon. and learned Member seems to me a very peculiar one. It amounted to this: he has got some Amendments on the Paper, and he found that Members were leaving the House.

*MR. SPEAKER: That was only a personal explanation on the part of the hon. Member. It is not material to the question before the House now.

MR. MADDISON: I thought it was more than that, and entered into the debate, but I shall leave that point alone.

*MR. SPEAKER: The hon. Member prefaced his remarks by stating that he rose to make a personal explanation.

MR. MADDISON: I cannot help thinking that this is really a flagrant abuse of Parliament. It is a gross waste of the time of the House, which Mr. Gladstone used to call the national treasure. The right hon. Gentleman in his very ingenious speech tried to make out that he had to consult the convenience of Members of the House. That is quite true. Does the right hon. Gentleman mean to say that the number of Members who are going to the garden party is so large that it would materially affect the discussions in the House on this Bill? If the right hon. Gentleman had been able to show that, we will say, 200 or 300 Members were going to the garden party, then, of course, the business of the House would be practically stopped; but the chances are that only a small number of Gentlemen have received invitations to this garden party. Being a Royal party it will be, I presume, if one has to say so, select. [Laughter.] I do not think it at all follows, but I suppose in courtesy you have to say "select," and therefore the number will be small. [Laughter.] Yes, the number of Members who have received invitations, I am quite certain, will be a very small proportion of this House. The right hon. Gentleman's speech had no body in it, no substance in it, no point in it, unless he can show us that the number is so large as to materially affect the discussion of this Bill. If he had told us that the right hon. Gentleman in charge of the Bill was desirous to go to the Royal garden party I should say that that would be a very considerable loss to the Bill. The right hon. Gentleman does not look as if he were going to a garden party. I mean to say there is nothing in the right hon. Gentleman's latest speeches to show that exhaustion which, I take it, a garden party might help to remove. In fact, everything was going on smoothly. The Bill was not being obstructed. The Bill was being discussed, and although, an ignorant townsman, I had to grope my way along during the discussion, I was able to get gleams of light even from the right hon. Gentleman, as well as from Members on this side of the House. I would put it to the House calmly and fairly—here we are in the midst of a Bill which deals with tenant rights and with the condition of farmers. We are constantly being told on the other side of the House that agriculture is the greatest industry. Now mark this: when we are dealing with the greatest industry in the country, when the right hon. Gentleman is telling us that they are fulfilling their election pledges, they suddenly break off in the middle of their work, just because there happens to be a gathering of Royal and other personages at Buckingham Palace. I say this solemnly, I say it earnestly, that no worse object lesson could be given to the workmen of this country than for this House, that is the mother of Parliaments, to be so frivolous, to be so vain, to have so little regard for the nation's business, as to go off at the first approach of Royalty. Why, the discussion of one clause of this Bill is worth all the garden parties you have in this country, and all the Royalties as well. [Cries of "Order, order!"]

*MR. SPEAKER: The hon. Gentleman will withdraw the words "and all the Royalties as well." [Cries of "Withdraw!"]

MR. MADDISON: I shall not withdraw for hon. Members opposite; but if the Speaker says it is not in order I shall withdraw at once.

*MR. SPEAKER: I said it was not in order.

MR. MADDISON: Then, of course, I at once withdraw. When I remember that the right hon. Gentleman in his place deliberately told us that he would not give us one hour to discuss the Children's Bill, a Bill affecting the vital interests of the people, and then that he can waste and squander an hour and a quarter on a useless visit to a useless garden party, then I say it is a shame that the working people of this country should be so treated.

MR. SWIFT MACNEILL (Donegal, S.): I consider that hon. Gentlemen

are wasting public time. This is an attempt to suspend the business of the House for a Court function. I think we are the representatives of the people and the trustees of the people. My hon. friend had the misfortune to be called to order. I will not make that mistake. I know perfectly well the rules of the House with reference to Royalty. You cannot refer, except in certain terms, to two Royal personages—the Queen and the Prince of Wales. You can speak as you like of other Royalties. I say that this House is forgetting its duty to the constituencies, and that it is behaving falsely to the trust placed in it, if it gives one moment of the public time to enable Members to go and masquerade in a place like Buckingham Palace. The Irish Members come here at great inconvenience, and we do not wish the business of the House adjourned for any Court function whatever. We have come here to discharge serious business. If the House of Commons is to suspend the vital business of the country for any State function it appears to me that this kingdom is like Rome on the eve of destruction.

MR. SPEAKER: The question is not the adjournment of the House. It is whether the proceedings on this Bill should be adjourned until to-morrow.

MR. SWIFT MACNEILL: I suppose we will discuss the adjournment of the House later on. Having regard to the Bill before the House, which is ostensibly to make the lives of agricultural labourers happier, I really think that a motion for the adjournment of the debate is a waste of public time. I hope the right hon. Gentleman the Member for West Birmingham will support the motion for the adjournment, and show how consistent he is in connection with the policy of "three acres and a cow."

MR. WEIR (Ross and Cromarty) rose to speak.

MR. A. J. BALFOUR rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

The House divided: — Ayes, 137; Noes, 50. (Division List No. 209.)

AYES.

Allsopp, Hon. George
Arrol, Sir William
Atkinson, Rt. Hon. John
Baird, John George Alexander
Baker, Sir John
Balfour, Rt. Hn. A. J. (Manch'r
Balfour, Rt. Hn. G. W. (Leeds)
Beach, Rt. Hn. Sir M H (Bristol)
Beckett, Ernest William
Bethell, Commander
Boscawen, Arthur Griffith-
Boulnois, Edmund
Bowles, T. G. (King's Lynn)
Brassey, Albert
Brodrick, Rt. Hon. St. John
Bryce, Rt. Hon. James
Bullard, Sir Harry
Caldwell, James
Carson, Rt. Hon. Sir Edw. H.
Cavendish, R. F. (N. Lancs.)
Cavendish, V. C. W. (Derbysh.)
Cecil, Evelyn (Hertford, East)
Cecil, Lord Hugh (Greenwich)
Chamberlain, Rt Hn J (Birm.)
Chamberlain, J Austen (Worc'r
Chaplin, Rt. Hon. Henry
Charrington, Spencer
Chelsea, Viscount
Coddington, Sir William
Collings, Rt. Hon. Jesse
Colston, Chas. Edw. H. Athole
Corbett, A. Cameron (Glasgow)
Cornwallis, Fiennes S. W.
Cox, Irwin Edward Bainbridge
Crombie, John William
Cross, H. Shepherd (Bolton)
Dalkeith, Earl of
Davies, Sir Hor. D. (Chatham
Dickinson, Robert Edmond
Donkin, Richard Sim
Douglas, Rt. Hon. A. Akers-
Doxford, Sir Wm. Theodore
Faber, George Denison
Fardell, Sir T. George
Field, Admiral (Eastbourne)
Finlay, Sir Robert Bannatyne
Fisher, William Hayes
Fry, Lewis
Galloway, William Johnson
Gibbons, J. Lloyd
Godson, Sir Augustus Frederick
Goldsworthy, Major-General
Gordon, Hon. John Edward
Gorst, Rt. Hon. Sir John Eldon
Goschen, George J. (Sussex)
Goulding, Edward Alfred
Gray, Ernest (West Ham)
Greene, H. D. (Shrewsbury)
Greville, Hon. Ronald
Gunter, Colonel
Halsey, Thomas Frederick
Hanbury, Rt. Hon. Rbt. Wm.
Hardy, Laurence
Helder, Augustus
Hickman, Sir Alfred
Hoare, Ed. Brodie (Hampstead
Houston, R. P.
Howell, William Tudor
Hutchinson, Capt. G. W. Grice-
Hutton, John (Yorks, N.R.)
Kimber, Henry
Knowles, Lees
Lafone, Alfred
Lawrence, Wm. F. (Liverpool)
Lawson, John Grant (Yorks.)
Leighton, Stanley
Loder, Gerald W. Erskine
Long, Rt. Hn. W. (Liverpool)
Lowles, John
Loyd, Archie Kirkman
Lucas-Shadwell, William
Macartney, W. G. Ellison
Macdona, John Cumming
MacIver, David (Liverpool)
M'Killop, James
Malcolm, Ian
Manners, Lord Edward Wm. J.
Mellor, Colonel (Lancashire)
Milbank, Sir Powlett Charles J.
Milner, Sir Frederick George
Monckton, Edward Philip
Moore, William (Antrim, N.)
Morgan, Hn. F. (Monmouths.
Morrison, Walter
Morton, A. H. A. (Deptford)
Murray, Rt. Hn. A. G. (Bute)
Murray, Chas. J. (Coventry)
Myers, William Henry
Nicholson, William Graham
Nicol, Donald Ninian
O'Neill, Hon. Robert Torrens
Parkes, Ebenezer
Peel, Hon. W. Robt. Wellesley
Penn, John
Percy, Earl
Pierpoint, Robert
Pryce-Jones, Lt.-Col. Edward
Purvis, Robert
Ridley, Rt. Hon. Sir M. W.
Ritchie, Rt. Hn. Chas. Thomson
Robinson, Brooke
Russell, T. W. (Tyrone)
Sassoon, Sir Edward Albert
Sharpe, William Edward T.
Shaw-Stewart, M. H. (Renfrw.)
Sidebottom, William (Derbysh.
Sinclair, Capt. Jno (Forfarshire
Sinclair, Louis (Romford)
Smith, Hon. W. F. D (Strand)
Spencer, Ernest

Mr. Swift MacNeill.

Stanley, Hon Arthur (Ormskirk)
Stirling-Maxwell, Sir J. M.
Strachey, Edward
Talbot, Rt Hon. J G (Oxf'd Univ.
Thornton, Percy M.
Tollemache, Henry James
Tomlinson, Wm. Edw. Murray
Wallace, Robert
Welby, Sir Charles G. E. (Notts.
Wharton, Rt. Hon. John Lloyd
Williams, John Carvell (Notts
Willoughby de Eresby, Lord
Willox, Sir John Archibald
Wilson-Todd, Wm. H. (Yorks)
Wodehouse, Rt. Hn. E. R (Bath)
Wylie, Alexander
Wyndham, George
Young, Commander (Berks, E.)

TELLERS FOR THE AYES—Sir William Walrond and Mr. Anstruther.

NOES.

Austin, M. (Limerick, W.)
Bayley, Thomas (Derbyshire)
Blake, Edward
Burns, John
Burt, Thomas
Crilly, Daniel
Doogan, P. C.
Fenwick, Charles
Flavin, Michael Joseph
Goddard, Daniel Ford
Hayne, Rt. Hon. Charles Seale-
Horniman, Frederick John
Jones, Wm. (Carnarvonshire)
Lawson, Sir W. (Cumb'land)
Luttrell, Hugh Fownes
Macaleese, Daniel
MacNeill, John Gordon Swift
M'Ghee, Richard
M'Kenna, Reginald
Maddison, Fred.
Morgan, W Pritchard (Merthyr
O'Brien, James F. X. (Cork)
O'Brien, Patrick (Kilkenny)
O'Connor, Arthur (Donegal)
O'Connor, T. P. (Liverpool)
Oldroyd, Mark
Paulton, James Mellor
Pease, Joseph A. (Northumb.)
Philipps, John Wynford
Pickard, Benjamin
Pilkington, Sir G. A. (Lancs SW
Power, Patrick Joseph
Reid, Sir Robert Threshie
Runciman, Walter
Samuel, J. (Stockton-on-Tees)
Shee, James John
Stanhope, Hon. Philip J.
Steadman, William Charles
Sullivan, Donal (Westmeath)
Tanner, Charles Kearns
Tennant, Harold John
Trevelyan, Charles Philips
Walton, John Lawson (Leeds, S.
Wedderburn, Sir William
Weir, James Galloway
Williams, John Carvell (Notts.
Wilson, John (Durham, Mid)
Woods, Samuel
Young, Samuel (Cavan, East)
Yoxall, James Henry

TELLERS FOR THE NOES—Captain Donelan and Mr. Dillon.

Question put accordingly : "That further proceedings on Consideration, as amended (by the Standing Committee), be adjourned till To-morrow."

The House divided :—Ayes, 138 ; Noes, 47. (Division List No. 210.)

AYES.

Allsopp, Hon. George
Arrol, Sir William
Atkinson, Rt. Hon. John
Baird, John George Alexander
Baker, Sir John
Balfour, Rt. Hn. A. J. (Manch'r
Balfour, Rt Hn Gerald W (Leeds
Beach, Rt. Hn Sir M. H. (Bristol)
Beckett, Ernest William
Bethell, Commander
Boscawen, Arthur Griffith-
Boulnois, Edmund
Bowles, T. Gibson (King's Lynn)
Brassey, Albert
Brodrick, Rt. Hon. St. John
Bryce, Rt. Hon. James
Bullard, Sir Harry
Carson, Rt. Hn. Sir Edw. H.
Cavendish, R. F. (N. Lancs.)
Cavendish, V. W C. (Derbyshre
Cecil, Evelyn (Hertford, East)
Cecil, Lord Hugh (Greenwich)
Chamberlain, Rt. Hon. J. (Birm
Chamberlain, J. Austen (Worc.
Chaplin, Rt. Hon. Henry
Charrington, Spencer
Chelsea, Viscount
Coddington, Sir William
Collings, Rt. Hon. Jesse
Colston, Chas. Edw. H. Athole
Corbett, A. Cameron (Glasgw)
Cornwallis, Fiennes Stanley W.
Cox, Irwin Edward Bainbridge
Cross, Herb. Shepherd (Bolton)
Dalkeith, Earl of
Davies, Sir H. D. (Chatham)
Dickinson, Robert Edmond
Donkin, Richard Sim
Douglas, Rt. Hon. A. Akers-
Doxford, Sir William Theodore
Faber, George Denison
Fardell, Sir T. George
Field, Admiral (Eastbourne)
Finlay, Sir Robert Bannatyne
Fisher, William Hayes
Fry, Lewis
Galloway, William Johnson
Gibbons, J. Lloyd
Gladstone, Rt. Hn. Herbert J.
Godson, Sir Augustus Frederick
Goldsworthy, Major-General
Gordon, Hon. John Edward
Gorst, Rt. Hon. Sir J. Eldon
Goschen, George J. (Sussex)
Goulding, Edward Alfred
Gray, Ernest (West Ham)
Greene, H. D. (Shrewsbury)
Greville, Hon. Ronald
Gunter, Colonel
Halsey, Thomas Frederick
Hanbury, Rt. Hon. Robert W.
Hardy, Laurence
Hayne, Rt. Hn. Charles Seale-
Helder, Augustus
Hickman, Sir Alfred
Hoare, E. Brodie (Hampstead)
Houston, R. P.
Howell, William Tudor
Hutchinson, Capt. G. W. Grice-
Kimber, Henry
Knowles, Lees
Lafone, Alfred
Lawrence, Wm. F. (Liverpool)
Lawson, John Grant (Yorks.)
Leighton, Stanley
Loder, Gerald Walter Erskine
Long, Rt Hn Walter (Liverpool)
Lowles, John
Loyd, Archie Kirkman
Macartney, W. G. Ellison
Macdona, John Cumming
MacIver, David (Liverpool)
M'Killop, James
Malcolm, Ian
Manners, Lord Edward Wm. J.
Mellor, Colonel (Lancashire)
Milbank, Sir Powlett Chas. J.
Milner, Sir Frederick George
Monckton, Edward Philip
Moore, William (Antrim, N.)
Morgan, Hn. Fred (Monm'thsh.
Morrison, Walter
Morton, A. H. A. (Deptford)
Moulton, John Fletcher
Murray, Rt. Hon. A. G. (Bute)
Murray, Charles J. (Coventry
Myers, William Henry
Nicholson, William Graham
Nicol, Donald Ninian
O'Neill, Hon. Robert Torrens
Parkes, Ebenezer
Paulton, James Mellor
Pease, Joseph A. (Northumb.)
Peel, Hn Wm. Robert Wellesley
Penn, John
Percy, Earl
Pierpoint, Robert
Pryce-Jones, Lt.-Col. Edward
Purvis, Robert
Reid, Sir Robert Threshie
Ridley, Rt. Hon. Sir Matthew W
Ritchie, Rt. Hon. C. Thomson
Robinson, Brooke
Russell, T. W. (Tyrone)
Sassoon, Sir Edward Albert
Sharpe, William Edw rd T.
Shaw-Stewart, M. H. (Renfrew
Sidebottom, William (Derbsh.)
Sinclair, Louis (Romford)
Smith, Hon. W. F. D. (Strand
Spencer, Ernest
Stanley, Hon Arthur (Ormskirk
Stirling-Maxwell, Sir J. M.
Strachey, Edward
Talbot, Rt Hon. J. G (Oxf'd Univ.
Thornton, Percy M.
Tollemache, Henry James
Tomlinson, W. E. Murray
Wallace, Robert
Welby, Sir Chas. G. E. (Notts.)
Wharton, Rt. Hn. J. Lloyd
Williams, J. Powell- (Birm.)

Willoughby de Eresby, Lord	Wodehouse, Rt. Hn. E. R. (Bath	TELLERS FOR THE AYES – Sir William Walrond and Mr. Anstruther.
Willox, Sir John Archibald	Wyndham, George	
Wilson-Todd, Wm. H(Yorks.)	Young, Commander (Berks, E.)	

NOES.

Allan, William (Gateshead)	Luttrell, Hugh Fownes	Sinclair, Capt. John (Forfars.
Austin, M. (Limerick, W.)	Macaleese, Daniel	Stanhope, Hon. Philip J.
Bayley, Thomas (Derbyshire)	MacNeill, John Gordon Swift	Steadman, William Charles
Blake, Edward	M'Ghee, Richard	Sullivan, Donal (Westmeath)
Burns, John	Morgan, W. Pritchard (Merth'r	Tanner, Charles Kearns
Burt, Thomas	O'Brien, James F. X. (Cork)	Trevelyan, Charles Philips
Caldwell, James	O'Brien, Patrick (Kilkenny)	Wedderburn, Sir William
Crilly, Daniel	O'Connor, Arthur (Donegal)	Weir, James Galloway
Crombie, John William	O'Connor, T. P. (Liverpool)	Williams, John Carvell (Notts.
Dillon, John	Oldroyd, Mark	Woodhouse, Sir J. T. (H'dd'rsf'd
Donelan, Captain A.	Philipps, John Wynford	Woods, Samuel
Doogan, P. C.	Pickard, Benjamin	Young, Samuel (Cavan, East)
Fenwick, Charles	Pilkington, Sir G. A. (Lancs. S. W.	Yoxall, James Henry
Flavin, Michael Joseph	Power, Patrick Joseph	
Goddard, Daniel Ford	Runciman, Walter	TELLERS FOR THE NOES— Mr. John Wilson (Durham) and Mr. Maddison.
Horniman, Frederick John	Samuel, J. (Stockton-on-Tees)	
Jones, William (Carnarvonsh.	Shee, James John	

POST OFFICE SITES (RECOMMITTED) BILL.

Considered in Committee.

(In the Committee.)

[Mr. GRANT LAWSON (Yorkshire, N.R., Thirsk) in the Chair.]

Clause 1 :—

Question again proposed, "That Clause 1 stand part of the Bill."

MR. CALDWELL (Lanarkshire, Mid) : I should like some explanation from the Secretary to the Treasury as to why Section 133 of the Lands Clauses Consolidation Act, 1845, is excepted. This section is to apply to the case of post office sites with certain exceptions. I want to ascertain from the Secretary to the Treasury why these exceptions to the Lands Clauses Act are being made. Is the Secretary to the Treasury prepared to give us some explanation why Section 133 does not apply ?

MR. HANBURY : I should like to hear the hon. Member's explanation of it.

MR. CALDWELL : Then I will give it. Whenever the promoters of a building scheme take possession of lands and demolish houses they are bound under Section 133 to pay to the rating authorities in respect of land tax and poor rate until the property is ready for rating purposes again. They are bound in the interval between demolishing the buildings and the completion of the works to pay to the rating authorities the same rates as those authorities had received up to the time when the compulsory powers were taken. That is briefly what is provided for in the Lands Clauses Act. I should like to know upon what principle the Government have acted in providing that this clause shall not apply in the case of the property of the Government. In the year 1845 the Government did not pay rates like other people, and they were under no legal obligation to make a contribution for rates. The Secretary to the Treasury knows perfectly well that the Government, during his term of office, have altered altogether their method of dealing with these matters, and they now admit that the Government must pay rates the same as anybody else. The Government have been giving effect to that system in England during the past two or three years, and having done that, what grounds have the Government now for turning round and saying that during the progress of these works, when they demolished the buildings and deprived the local rating authority of the rateable value they got before, they should not pay the rates ? There was a reason for such a course some years ago, but there is no reason for it now. What would be the effect of this upon the vestries of London ? You demolish a large building site, and the effect of your demolition will be that before your new buildings are ready for rating the vestry will be deprived of the rates which they otherwise would have received. I should be very glad if the Secretary to the Treasury would explain why the Government have taken this course.

MR. GALLOWAY (Manchester, S.W.) : I beg to call your attention, Mr. Grant Lawson, to the fact that there are not forty Members present.

MR. FLAVIN : And may I call your attention, Mr. Grant Lawson, to the fact that hon. Members on the opposite side of the House have deliberately gone out ?

The usual interval having elapsed, and forty Members not being present,

The House adjourned at ten minutes after Five of the clock, till To-morrow.

HOUSE OF LORDS.

Thursday, 12th July, 1900.

PRIVATE BILL BUSINESS.

The LORD CHANCELLOR acquainted the House that the Clerk of the Parliaments had laid upon the Table the Certificates from the Examiners that the further Standing Orders applicable to the following Bills have been complied with:—

Newcastle-upon-Tyne Electric Supply.
Newry, Keady, and Tynan Light Railway.

Also the Certificates that no Standing Orders are applicable to the following Bills:—

Local Government (Ireland) Provisional Orders (Housing of Working Classes) (No. 2).
Local Government (Ireland) Provisional Orders (No. 4).

And also the Certificates that the Standing Orders applicable to the following Bills have been complied with:—

Local Government (Ireland) Provisional Orders (No. 3).
Local Government Provisional Orders (No. 10).
Local Government Provisional Orders (No. 15).

The same were ordered to lie on the Table.

GREAT NORTHERN RAILWAY (IRELAND) BILL.

A witness ordered to attend the Select Committee, and to produce documents.

OLDHAM CORPORATION BILL.

BRADFORD CORPORATION BILL.

GREAT NORTHERN RAILWAY BILL.

Reported with Amendments.

BRAY URBAN DISTRICT COUNCIL BILL.

Reported without amendment.

MIDLAND RAILWAY BILL.

The Queen's consent (in right of Her Duchy of Lancaster) signified, and Bill reported with Amendments.

GREAT WESTERN RAILWAY BILL.

Report from the Committee of Selection, That the Viscount Frankfort de Montmorency be proposed to the House as a member of the Select Committee on the said Bill in the place of the Lord Monckton (*V. Galway*); read, and agreed to.

PLYMOUTH, STONEHOUSE, AND DEVONPORT TRAMWAYS BILL.

CUMBERLAND COUNTY COUNCIL (BRIDGES) BILL.

CROYDON TRAMWAYS AND IMPROVEMENTS BILL.

LONDON COUNTY TRAMWAYS (No. 1) BILL.

SCARBOROUGH CORPORATION BILL.

Moved, That the Order made on the 12th day of March last, "That no Private Bill brought from the House of Commons shall be read a second time after Tuesday the 26th day of June next," be dispensed with, and that the Bills be now read 2ª; agreed to; and Bills read 2ª accordingly.

PLYMOUTH, STONEHOUSE, AND DEVONPORT TRAMWAYS BILL.

Committed. The Committee to be proposed by the Committee of Selection.

CUMBERLAND COUNTY COUNCIL (BRIDGES) BILL.

Committed.

CROYDON TRAMWAYS AND IMPROVEMENTS BILL.

LONDON COUNTY TRAMWAYS (No. 1) BILL.

Committed. The Committees to be proposed by the Committee of Selection.

SCARBOROUGH CORPORATION BILL.

Committed.

WELLINGBOROUGH AND DISTRICT TRAMROADS BILL.

NOTTINGHAM CORPORATION BILL.

Read 3ª, with the Amendments, and passed, and returned to the Commons.

GREAT INDIA, PENINSULA RAILWAY COMPANY BILL.

SOUTHPORT CORPORATION BILL.

Brought from the Commons; read 1ª; and referred to the Examiners.

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

AIRDRIE AND COATBBIDGE TRAMWAYS BILL.

AIRDRIE, COATBRIDGE, AND DISTRICT WATER TRUST BILL.

BRIGHTON CORPORATION BILL.

READING CORPORATION (TRAMWAYS) BILL.

WOLVERHAMPTON GAS BILL.

Returned from the Commons with the Amendments agreed to.

VALE OF RHEIDOL LIGHT RAILWAY BILL.

Returned from the Commons with the Amendment agreed to.

BURNLEY CORPORATION BILL. [H.L.]

EDINBURGH DISTRICT LUNACY BOARD BILL [H.L.].

Returned from the Commons agreed to, with Amendments.

LONDON UNITED TRAMWAYS BILL.

Message from the Commons giving leave to Thomas Skewes-Cox, Esquire (a member), to attend the Select Committee (pursuant to message of Tuesday last).

GREAT SOUTHERN AND WESTERN AND WATERFORD, LIMERICK AND WESTERN RAILWAY COMPANIES AMALGAMATION BILL [H.L.].

MIDLAND GREAT WESTERN RAILWAY OF IRELAND BILL [H.L.].

GREAT SOUTHERN AND WESTERN AND WATERFORD AND CENTRAL IRELAND RAILWAY COMPANIES AMALGAMATION BILL [H.L.].

Leave given to the Joint Committee to report from time to time.

MIDLAND GREAT WESTERN RAILWAY OF IRELAND BILL [H.L.].

Reported from the Joint Committee with Amendments.

GREAT YARMOUTH PORT AND HAVEN BILL.

Commons Amendments to Lords Amendments considered, and agreed to.

LONDON (ST. LUKE) PROVISIONAL ORDER BILL. (No. 180.)

LONDON (SOUTHWARK) PROVISIONAL ORDER BILL. (No. 181.)

Both from the Commons; read 1ª; to be printed; and referred to the Examiners.

LONDON (CLERKENWELL AND HOLBORN) PROVISIONAL ORDER BILL.

LONDON (POPLAR) PROVISIONAL ORDER BILL.

Moved, That the Order of 12th March last, "That no Provisional Order Confirmation Bill brought from the House of Commons shall be read a second time after Tuesday, the 26th day of June next," be dispensed with, and that the Bills be now read a second time; agreed to; Bills read 2ª accordingly, and committed to a Committee of the whole House.

TRAMWAYS ORDERS CONFIRMATION (No. 3) BILL [H.L.].

Amendments reported (according to Order), and Bill to be read 3ª To-morrow.

RETURNS, REPORTS, ETC.

TRADE REPORTS (MISCELLANEOUS SERIES).

No. 532. United States (Mining Industry of Colorado).

No. 533. Russia (Trans-Siberian Railway).

NAVY.

I. ESTIMATES.

1. Estimate of the further Amount which will be required during the year ending 31st March, 1901, beyond the sum already provided in the Grants for Navy Services for the year (Parliamentary Paper No. 41, Session 1900) to meet additional expenditure arising on the under-mentioned Votes.

2. Statement of the First Lord of the Admiralty explanatory of the Additional Estimate for Her Majesty's Navy for the year 1900-1.

II. BOILERS.

1. Memorandum respecting Water-tube Boilers in Her Majesty's ships.

2. Statement of the First Lord of the Admiralty respecting Water-tube Boilers in Her Majesty's ships.

NATIONAL EDUCATION (IRELAND).

Extracts from forthcoming Code of Rules and Regulations of the Commissioners of National Education, Ireland, for the year 1900–1.

New Rules and Regulations in operation for the year 1900–1.

Presented (by Command), and ordered to lie on the Table.

PETITION.

VIVISECTION.

Petition for restriction of the practice of; of meeting in London; read, and ordered to lie on the Table.

MERCHANT SHIPPING (LIABILITY OF SHIPOWNERS AND OTHERS) BILL.

[SECOND READING.]

Order of the Day for the Second Reading read.

*LORD HENEAGE: My Lords, this is rather an important Bill, although we have the advantage of the fact that it comes up from the House of Commons with the unanimous support of that House, it having passed through all its stages there without a division. The object of the Bill is to limit the excessive amount of liability to which shipowners and dock-owners and others are subject under the present law. It has been under the consideration of all those who are interested for a considerable period, and the outcome of a conference between all the parties practically and financially interested is the present agreement, which has been carefully considered, and has been embodied in the Bill. The Bill has not only been before a Standing Committee of the House of Commons, but it has been thoroughly thrashed out in that House, with the assistance of the Solicitor General and the Board of Trade. The whole question, therefore, comes before your Lordships with very good credentials. It has the unanimous approval of the House of Commons and of the whole body of shipowners and dock-owners, harbour authorities, and other conservancy bodies throughout the United Kingdom. Under those circumstances it is not necessary for me to argue to your Lordships at any length upon the necessity of the measure. I could give your Lordships a number of instances to show that great hardship has been imposed upon both dock-owners and shipowners in respect of the unlimited liability to damage at present imposed upon them. Both parties desire that their liability shall be limited, and this Bill represents the agreement they have arrived at. The object of the Bill is, in the first clause, to limit the liability of shipowners in relation to "fixed objects"; and, in the second clause, to give a corresponding reciprocal relief in regard to liability for damages to dock-owners, harbour authorities, and others. The Bill does not interfere in any degree with the question of damages in respect of loss of life at sea. It does not put forward any new liability whatever. It asks, in the first clause, that the Section 503 of the Merchant Shipping Act of 1894 shall be extended to "fixed objects." Under the law as it now stands, the liability of shipowners for damage done to "property at sea" inflicted accidentally is limited to £8 per ton. It does not appear to men of common sense, and those interested in the trade, and others that there is any reasonable objection to that limitation being extended to "fixed objects." I will read to your Lordships a few words from the section to which I have alluded. Subsection (1) of Section 503 of the Merchant Shipping Act of 1894 enacts that—

"The owner of a ship shall not be liable to damages beyond the following amounts:—'In respect of a damage to vessels, goods, merchandise, or other things, whether there be in addition loss of life or personal injury, or not, an aggregate amount not exceeding eight pounds for each ton of their ship's tonnage.'"

But, my Lords, no such limitation exists by law for damage to "land, fixed piers, docks, canals, wharves, or landing stages," and, as I have said, there does not appear to men of common sense any reason against such limitation. It is a very difficult thing to know what the value of docks and harbours and canals are at the present time. You cannot assess them by tons as you do ships. Now, this is not a new limitation, because I am informed that it actually exists in France at the present moment, and that legislation is in progress in other countries in the same direction. By the first clause of the Bill it is proposed to extend this provision of Section 593 of the Act of 1894 to the "fixed objects" I have mentioned. It is not a referential clause: it is perfectly plain and clear. It enacts that the limitation shall

"extend and apply to all cases where (without their actual fault or privity) any loss or damage is caused to property or rights of

any kind, whether on land or on water, or whether fixed or movable, by reason of the improper navigation or management of the ship."

I believe that as a matter of fact no one takes exception to that clause. The only difficulty that arises is that whilst the dockowner and the harbour authorities and the conservancy boards are willing to grant that limitation in the case of shipowners, they ask for some reciprocal legislation on their own account, on the ground of the large size and tonnage of the vessels now being built. Mr. McArthur, who had charge of the Bill in the House of Commons, speaking on the Second Reading,* said—

"We recognise that the contention is a reasonable one, and therefore shipowners not only assent to that contention, but they are willing to assist in every way the action of the dock authorities to have a clause to that effect inserted in the Bill in Committee. We are willing to concede to the dock authorities a corresponding limitation to that which we claim for the shipowners."

The second clause of the Bill is the unanimous result of the deliberations of the shipowners and dockowners and others interested, and of a very useful discussion both in the Standing Committee and in Committee of the whole House, in which, although several Amendments were moved and some few were accepted, there was no division of opinion whatever and no division took place. The first clause of the Bill is very easy to follow, because it is simply an extension of the principle of the Act of 1894. The second clause is rather technical, and it may appear at first sight to be rather illogical; but I am bound to say that, having looked into the question myself before I took charge of the Bill, and having had some considerable knowledge of merchant shipping legislation during my connection with the Humber ports for twenty years, I believe that it is a good working agreement and is quite practicable. Under Clause 2, the "aggregate liability" of dock and harbour authorities and other conservancy boards will not exceed £8 per ton; but I wish to point out distinctly that the maximum liability will not be based on the damage done to any individual vessel or on the damage done to any dock, but on the tonnage of the largest ship which has been within the area over which such dock or other authority has jurisdiction within five years previous to the accident. This sum would be apportioned in any accident between one or more vessels that might be damaged, the damage being assessed on the actual value of the vessels and of the cargoes on board of them. I have here some instances of how that would work, but I do not think it is a wise thing on the Second Reading to give figures, because it is impossible for anyone to discuss them at the moment, and I therefore content myself with saying that in Committee I shall be perfectly ready to give the cases, and to show that whilst this provision may not seem very logical, we know exactly what are the results that will be incurred by the Bill, and we are perfectly prepared to meet them. There is one other point with regard to the second clause to which I should like to call your Lordships' attention. It is not thought fair that the maximum liability should be increased because some vessels of a very large size may have been within the area which do not usually come into the port; it is not considered reasonable that the measure of liability should be fixed by the fact of some very large vessel having accidentally come within the area for shelter, or just to load mails and passengers. Therefore there is a proviso to this clause that a ship is not to be deemed to be within the area

"by reason only that it has taken shelter within or passed through such area on a voyage between two places both situated outside that area, or has loaded or unloaded mails and passengers within the area."

These latter words were expressly put in in the House of Commons to protect the port of Queenstown. My Lords, this agreement, as I have said, is the result of the unanimous decision of the men of business and practical common sense, men who alone are interested financially and practically in the limitation of liability, either as receivers of damages or as payers of damages, and they ask your Lordships to join with the House of Commons in giving it Parliamentary sanction. Before I leave this subject I should like to tell your Lordships what was the opinion of Her Majesty's Government by their authorised spokesman before the Bill left the House of Commons. Sir Edward

* For Second Reading Debate in the Commons, see *The Parliamentary Debates* [Fourth Series], Vol. lxxx., page 1366; for Debate on Bill as amended by Standing Committee, see Vol. lxxxiv., p. 1226.

Carson, speaking in Committee on the Bill as Solicitor General, said—

"Certainly the proposal to which exception is taken is not a logical or ideal proposal. The Board of Trade, however, have endeavoured to obtain as far as possible the views of the great shipowners and associations represented, and in the same way they have the opinion of the dockowners, that the proposal as to limitation is the only one they can agree upon; and it has been embodied. If the Bill is not passed there will be no limitation at all."

And, in replying later to a suggested Amendment, the Solicitor General said—

"The Government would not depart from their attitude of agreement with what was acceptable to all parties concerned."

and I venture to hope that the Government will not depart from it in this House. Your Lordships will bear in mind that this Bill has nothing to do with loss of life at sea and imposes no new liability which does not exist under the present law. The second clause was submitted to the closest examination by the officials of the Board of Trade and by the Standing Committee on Trade in the House of Commons. It was thoroughly discussed in Committee of the whole House, and no division was taken upon the Bill. The Bill is based on mutual reciprocity and the terms of the agreement are in the Bill; and having regard to the credentials of the Bill and its unanimous adoption by the House of Commons, I feel fully justified in recommending the principle and clauses of the Bill to your Lordships' favourable consideration.

Moved, "That the Bill be now read a second time."—(*Lord Heneage.*)

LORD MACNAGHTEN: My Lords, I do not rise to object at all to the Second Reading of this Bill. I think that, as the shipowners and the dock authorities have come to an agreement that the liability of the dock authorities should be limited, your Lordships will be disposed to carry out that agreement. I only rise to mention a very small matter. I am speaking now in the interests of the dock authorities of Belfast. As I understand, the measure of liability is to be the tonnage of the largest vessel which in ordinary normal cases trades to a port. Your Lordships may perhaps know that in Belfast very large vessels are built, which, as soon as they are built and fitted out, go away and trade to other ports, and their tonnage is very much in excess of the tonnage of the ordinary vessels going to Belfast. Now, I should hope that as the House of Commons has made exception in favour of vessels which only unload mails at Queenstown, a similar exception may be made in favour of the docks of Belfast in regard to those enormously large vessels which are built there but do not trade to the port. I propose to submit to your Lordships an Amendment to carry that out, and I hope my noble friend will give it his favourable consideration.

*THE SECRETARY FOR SCOTLAND (Lord BALFOUR of BURLEIGH): My Lords, I rise to state to the House what the attitude of the Board of Trade will be in regard to the proposals now contained in this Bill. The noble Lord, I think, stated accurately the history of the circumstances under which this Bill is presented to the House in the form in which it now appears, and he told your Lordships that it had come to this House without a division in the other House of Parliament. I think that is accurate, but it will be entirely a mistake to suppose that the Bill as now presented to this House is in the same form or anything like the form in which its promoters introduced it into the other House of Parliament. The fact is that for a short Bill of the kind, it has, I think, been as much if not more changed and been the subject of more different changes than almost any other Bill of a similar length of which I have had experience. As introduced in the other House of Parliament it contained a clause limiting the liability of shipowners for damage to "fixed property"—and in fact, I think I may say all kinds of property, whether the property was on land or on water, whether it was fixed or movable—to the amount of £8 a ton. To that clause the then Attorney General—now known to us here as Lord Alverstone—offered no opposition, but he did on behalf of the Government oppose the second clause of the Bill, which altered the mutual liability for damage as between British and foreign shipowners, and that clause in consequence of the opposition of the Govenment was withdrawn in Grand Committee. When that stage had been reached the owners of docks put in their word and thought that, if there was to be this further limit of

liability of shipowners to damage in regard to their property, there ought to be some reciprocity in the matter, and that they ought to have a limit of damage for which they might be made liable in the event of damage by the action of their servants to the property of the shipowners. To that principle the late Attorney General gave a general assent, but it is not easy to see the logic of the clause which has been devised. The noble Lord who introduced the Bill said quite frankly that when you look at it at first sight it seems to be illogical. I venture to suggest to the House that the more you look at it the more illogical it is likely to appear, and I think the remarks which the noble and learned Lord below the gangway has made show that this is a clause in the nature of a compromise, and when there is cake going (so to speak) everyone wants to have a slice. Queenstown has protected itself by an Amendment in the other House; now there is a plea on behalf of Belfast; and, if the plea of Queenstown was logical and to be admitted, it seems to me it will be rather difficult to find a distinct principle against the suggestion made by the noble and learned Lord. But, my Lords, the real case for this Bill is not I think the soundness or the logical nature of the provisions which are contained in it; the only case there is for it I think is that it is a matter of agreement as between the parties chiefly interested as the noble Lord says. Whether that is a sufficient reason for placing upon the Statute-book a Bill which even its own parents do not, I think, regard as perfect, and which they have been fully warned is a Bill which, as a matter of legal interpretation is full of doubt and full of difficulty, is a matter upon which I certainly expected that some of the legal talent in this House might have something to say. My Lords, the history of Clause 2, which is the clause to which I more particularly refer, is this. As I have said, when the liability of the shipowners to the dock-owners was being limited, the dock-owners asked that their liability to the shipowners should also be limited, and it was suggested, and, in fact, at one time agreed, that the liability of the dockowners should be fixed at a rate not exceeding—

"£8 for each ton of the tonnage of the largest registered British ship which, at the time of such loss or damage occurring, is, or within the period of five years previous thereto has been within the area over which such dock or canal owner, harbour authority, or conservancy authority, performs any duty or exercises any power."

That was found not to be satisfactory, and the clause was amended by the Grand Committee so as to confine it to the largest ships which had traded to or from the port. But the clause was again amended by the House so that as the Bill now comes up to your Lordships it provides that the damage is to be based—

"On the tonnage of the largest ship which has been within the area over which such dock or other authority has jurisdiction within five years previous to the accident,"

with a proviso excusing vessels taking shelter or merely passing through the area. That last proviso is the one to which the noble and learned Lord alluded in his remarks to the House. I am sure the noble Lord in charge of the Bill did not intend to give an erroneous impression to the House, but he quoted some words of the present Solicitor General, as if the Government had in any way made themselves responsible for the Bill. That is not so, and so far from that being so, the present Attorney General, Sir Robert Finlay, remarked in Grand Committee "that the clause as it now stands would give a great deal of work to the lawyers," and "that he knew nothing analogous to it in law." In spite of that, as I have said, it is an agreement between the two chief interests principally concerned—the dock-owners and the shipowners. It is a matter of compromise between them, a matter with which, as I have said, not only are they satisfied, but apparently, from the communications which have reached the Board of Trade, they are clearly desirous of seeing passed into law. And under those circumstance—as the legal profession contains many estimable men—if the dock-owners and the shipowners like as between themselves to run the risk of the litigation which they are warned will ensue, it does not seem to the Board of Trade that it is necessary for the Board of Trade to interfere and prevent this agreement being carried out. Therefore, I am instructed to say, on behalf of the President of the Board of Trade, that as he is perfectly aware that there would be considerable, in fact, I may say bitter, disappointment in shipping circles if this Bill were not passed, on the whole the Board of Trade are inclined to recommend the House to pass the Bill.

THE LORD CHANCELLOR (The Earl of HALSBURY): My Lords, I am very reluctant to interpose for a moment where everybody seems to be so harmonious, but I am bound to say that it seems to me that the second clause which has been referred to is both illogical and absurd, and I should think in practice it is hardly susceptible of being administered without a degree of litigation which, however profitable to those engaged in it, I should have thought would not be of advantage to those persons who are principally interested. Your Lordships, I think, can hardly take in—no one, I think, would be able to take in without considerable reflection on the subject—the sort of proposition which is to be laid down in order to limit liability. The question of so much per ton is, of course, not very easy to apply to docks or harbours. They are not weighed, and you cannot tell what their tonnage is, which is the proposition with which you have to deal. Then, in order to get rid of that difficulty the reciprocal advantage by the dock or harbour authority is that they are to have when the accident occurs a calculation about what is the largest British ship that has been there within a period of five years. I can imagine a great many interesting controversies arising upon that. Then somebody suggested that if you take five years and find out all the ships that have ever gone in and out of the docks during that period, and then consider which was the biggest of them, and take that as your standard, some huge ship which came into the docks simply through stress of weather would be included. Then comes this interesting compromise, "Well, although it has been within the area during the five years, you must consider that it has not been within the area during the five years," and so on. That is the sort of legislation which your Lordships are asked to pass. As I say, I do not like to interfere when everybody is so harmonious, but I can only say that there is one class of Her Majesty's subjects who do not appear to have been considered in this compromise—namely, Her Majesty's judges, who will have the administration of this piece of legislation. It is therefore not without protest that I abstain from moving the rejection of such a clause as this. It seems to me to be an extremely absurd clause, extremely difficult to administer, and I cannot help thinking that it is not a particularly good precedent to say that because two interests in the country are agreed upon it the Houses of Parliament should be induced by reason of that agreement to pass legislation which nobody can venture to say is either reasonable or profitable.

On Question, agreed to; Bill read 2ª accordingly, and committed to a Committee of the whole House to-morrow.

COUNTY COURTS (IRELAND) BILL [H.L.].

[SECOND READING.]

Order of the Day for the Second Reading read.

THE LORD CHANCELLOR OF IRELAND (Lord ASHBOURNE): My Lords, the Bill which I have asked your Lordships to read a second time is a Bill proposing to improve some details of county court administration in Ireland, and I think it will be found very useful in practice. It has been brought to my notice for some years by deputations and correspondence and references in the press that there are many matters in which there might be some advantageous changes made in Irish county court procedure, and my attention has been directed to the circumstance that there are many provisions of the English county court procedure that might be adopted with advantage in Ireland. The result of my consideration is found in the present Bill, which, of course, largely deals with details. I may say we propose, among other things, to make provision for the service of default summonses and for the enforcement of decrees in a better way, also for giving a seal to the county court; and there are provisions with regard to the attachment of debts and for the facilitating and cheapening of proof and various other matters of important detail connected with administration. I am ready to explain any of those matters when we get to the next stage, but I think your Lordships will be satisfied on the present occasion with this short statement, and accord the Bill a Second Reading.

Bill read 2ª (according to Order), and committed to a Committee of the whole House To-morrow.

CRUELTY TO WILD ANIMALS IN CAPTIVITY BILL.

House in Committee (according to Order).

LORD JAMES OF HEREFORD explained that, in order to carry out the statement he made on the Second Reading of the Bill, he had drafted and now proposed certain Amendments to Clause 2. That clause was not intended to interfere with any sports; and to make the matter quite clear, he moved Amendments which would result in Clause 2 reading as follows:—

"Any person shall be guilty of an offence who, whilst an animal is kept in close confinement, or is maimed, pinioned, or subjected to any appliance or contrivance for the purpose of hindering or preventing its escape from such confinement, shall by wantonly or unreasonably doing or omitting any act,—cause or permit to be caused any unneccessary suffering to such animal; or shall cruelly abuse, infuriate, tease, or terrify it, or permit it to be so treated."

The Amendments were agreed to.

Bill recommitted to the Standing Committee, and to be printed, as amended. [No. 182.]

COLONIAL STOCK BILL [H.L.].

Read 3ª (according to Order), and passed, and sent to the Commons.

RAILWAYS (PREVENTION OF ACCIDENTS) BILL.

Amendments reported (according to Order), and Bill to be read 3ª To-morrow.

ECCLESIASTICAL ASSESSMENTS (SCOTLAND) BILL.

Read 3ª (according to Order), and passed.

IMITATION OF COUNTY COURT PROCESS BILL [H.L.].

Read 3ª (according to Order), and passed, and sent to the Commons.

CHARITABLE LOANS (IRELAND) BILL.

House in Committee (according to Order); Bill reported without amendment; and re-committed to the Standing Committee.

COPYRIGHT BILL [H.L.].

Read 3ª (according to Order), and passed, and sent to the Commons.

THE PARLIAMENTARY DEBATES—FREE DISTRIBUTION TO PEERS.

*LORD HAWKESBURY: My Lords, I rise to ask the Prime Minister whether arrangements can now be made by which Peers may be supplied with copies of *The Parliamentary Debates* in the same way as Members of the House of Commons. I should like to explain that I am not asking that these papers should be circulated to Members of this House, because it is obvious that if, as is possible, many Members may not care to have them, a request for 600 more copies to be printed would be asking for a very unnecessary and wasteful expense to be incurred. I am only asking that Peers may be placed in the same position as Members of the House of Commons, and may be able to obtain the *Debates* on application. I understand that in the House of Commons Members may obtain the *Debates* in daily parts by filling up a request for them upon the Pink Paper which is issued to them, or by giving a general order for the bound volumes to be sent them as they are completed. When I put this question to the noble Marquess at the head of the Government a year ago, his reply was that it was impossible to make any change in the arrangements during that year, because no Estimate had been voted; but as he was good enough to say that the matter should receive consideration during the recess, I have ventured to repeat the question now, in the hope that the authorities of the Treasury, who have no doubt considered the matter since that time, have been able to consider it favourably.

THE LORD PRIVY SEAL (Viscount CROSS): My Lords, it will be satisfactory to the noble Lord to hear that I am authorised by the Prime Minister to say that if any Peer will apply for *The Parliamentary Debates* to the Printed Paper Office, he will receive them.

House adjourned at a quarter-past Five of the clock, till to-morrow, half-past Ten of the clock.

HOUSE OF COMMONS.

Thursday, 12th July, 1900.

PRIVATE BILL BUSINESS.

SPALDING URBAN DISTRICT COUNCIL (WATER) BILL. (BY ORDER.)

Order read for resuming Adjourned Debate on Question [5th July], "That this House doth agree with the Lords Amendments in page 6, line 21, to leave out from '1889,' to end of Clause 9."

Question again proposed.

Debate resumed.

MR. RECKITT (Lincolnshire, Brigg): Before this Bill goes through, I should like to state that the matter raised in this House last week with regard to the position of two of the employees of the company has been settled. The engineer is to receive £340 as compensation from the water company, while the collector is to continue in his post and become the servant of the urban district council. This being satisfactory to both parties, I think it right to put the House in possession of the terms of settlement.

Question put, and agreed to.

Subsequent Amendment agreed to.

EXMOUTH URBAN DISTRICT WATER BILL [Lords].

Read the third time, and passed, with Amendments. [New Title.]

FALKIRK CORPORATION BILL [Lords].

A Verbal Amendment made; Bill read the third time, and passed, with Amendments.

FISHGUARD AND ROSSLARE RAILWAYS AND HARBOURS BILL [Lords].

Queen's consent signified. Read the third time, and passed, without amendment.

RHYMNEY RAILWAY BILL [Lords].

Read the third time, and passed, with Amendments.

LONDON (ST. MARYLEBONE) PROVISIONAL ORDER BILL.

Reported, without amendment [Provisional Order confirmed]; Report to lie upon the Table.

Bill to be read the third time Tomorrow.

ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 6) BILL [Lords].

Reported, without amendment [Provisional Orders confirmed]; Report to lie upon the Table.

Bill to be read the third time Tomorrow.

ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 8) BILL [Lords].

Reported, without amendment [Provisional Orders confirmed]; Report to lie upon the Table.

Bill to be read the third time Tomorrow.

GAS ORDERS CONFIRMATION (No. 1) BILL [Lords].

Reported, with Amendments [Provisional Orders confirmed]; Report to lie upon the Table.

Bill, as amended, to be considered Tomorrow.

DEARNE VALLEY RAILWAY BILL [Lords].

Reported, without amendment; Report to lie upon the Table, and to be printed.

GREAT GRIMSBY STREET TRAMWAYS BILL [Lords].

BURY AND DISTRICT WATER (TRANSFER) BILL [Lords].

MERSEY RAILWAY BILL [Lords].

RAWMARSH URBAN DISTRICT COUNCIL (TRAMWAYS) BILL [Lords].

Reported with Amendments; Reports to lie upon the Table, and to be printed.

WESTGATE AND BIRCHINGTON WATER BILL [Lords].

Reported, without amendment; Report to lie upon the Table, and to be printed.

Bill to be read the third time.

MUIRKIRK, MAUCHLINE, AND DALMELLINGTON RAILWAYS (ABANDONMENT) BILL [Lords].

Reported, without amendment; Report to lie upon the Table, and to be printed.

MARGATE PIER AND HARBOUR BILL [Lords].

Reported with Amendments; Report to lie upon the Table, and to be printed.

PRESTON CORPORATION BILL [Lords].

Reported from the Select Committee on Police and Sanitary Regulations Bills (Section A), with Amendments; Report to lie upon the Table, and to be printed.

MESSAGE FROM THE LORDS.

That they have agreed to the Gas Provisional Order (No. 3) Bill, with an Amendment.

That they have agreed to the North Metropolitan Railway and Canal Bill and the Lee Conservancy Bill, with Amendments.

That they have passed a Bill intituled, "An Act to confirm certain Provisional Orders made by the Board of Trade under the Tramways Act, 1870, relating to Ashton-under-Lyne Corporation Tramways, Garston Tramway, Gorton Urban District Council Tramways, Plymouth Corporation Tramways, Taunton Tramways, and Warrington Corporation Tramways." Tramways Orders Confirmation (No. 4) Bill [Lords].

TRAMWAYS ORDERS CONFIRMATION (No. 4) BILL [Lords].

Read the first time; referred to the Examiners of Petitions for Private Bills, and to be printed. [Bill 292.]

PETITIONS.

SALE OF INTOXICATING LIQUORS TO CHILDREN (NO. 2) BILL.

Petitions in favour, from Blaby; and Kirkdale; to lie upon the Table.

RETURNS, REPORTS, ETC.

NATIONAL EDUCATION (IRELAND).

Copy presented, of Extracts from forthcoming Code of Rules and Regulations of the Commissioners of National Education in Ireland for the year 1900–1901 [by Command]; to lie upon the Table.

NAVY (ADDITIONAL ESTIMATE, 1900–1901).

Estimate presented, of the Further Amount which will be required during the year ending 31st March, 1901, beyond the Sum already provided in the Grants for Navy Services for the year [by Command]; referred to the Committee of Supply, and to be printed. [No. 270.]

NAVY (STATEMENT EXPLANATORY OF ADDITIONAL ESTIMATE).

Copy presented, of Statement of the First Lord of the Admiralty explanatory of the Additional Estimate for Naval Services for the year 1900–1901 [by Command]; to lie upon the Table.

NAVY (BOILERS).

Copy presented, of Memorandum respecting Water-Tube Boilers in Her Majesty's Ships [by Command]; to lie upon the Table.

TRADE REPORTS (MISCELLANEOUS SERIES).

Copy presented, of Diplomatic and Consular Reports, Miscellaneous Series, Nos. 532 and 533 [by Command]; to lie upon the Table.

QUESTIONS.

CHINA—ANTI-FOREIGN OUTBREAK—LATEST NEWS.

SIR H. CAMPBELL-BANNERMAN (Stirling Burghs) asked whether there was any fresh news from China.

*THE UNDER SECRETARY FOR FOREIGN AFFAIRS (Mr BRODRICK, Surrey, Guildford): We have no news from Peking, nor have we any confirmation of the various reports which have reached us through native sources. We have received the following message from the Commander-in-Chief, viâ Chefoo:—

"Tientsin, July 7.—Chinese continue sniping, often shelling the settlements. They are extending their lines along Lutaian Canal, to the north-eastwards, and appearing in greater force to the west of the city. Yesterday we bombarded city and immediate suburbs, which stopped Chinese gun fire for some time. French settlement and railway station most subjected to attack. To-day another bombardment will take place as yesterday. Am steadily getting more guns up. Ten thousand troops now here, more required, but both Russian and Japanese expected."

SIR E. ASHMEAD-BARTLETT (Sheffield, Ecclesall): Is the edict published in this morning's papers, purport-

ing to be issued by the Chinese Government, authentic or not?

*MR. BRODRICK: I have stated that I have no fresh news from Peking.

MR. MONK (Gloucester): Is it not possible for the Government to obtain authentic information from the Chinese Minister at this Court?

[No reply was given.]

MR. JAMES LOWTHER (Kent, Thanet): When will the Financial Vote with regard to China be taken?

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): I am afraid that I cannot give any promise at present.

COMMAND OF THE ALLIED FORCES — COMMAND OF THE BRITISH FORCE.

SIR E. ASHMEAD-BARTLETT: I beg to ask the First Lord of the Treasury whether Her Majesty's Government have arranged for a British officer of rank and experience to command the allied forces in China; and when General Sir A. Gaselee will arrive at Ta-ku.

MR. A. J. BALFOUR: Sir A. Gaselee, who is to command the forces sent to China, is an officer of experience and ability, and he will have the local rank of lieutenant-general. He is expected to arrive at Ta-ku about the 23rd of this month.

SIR E. ASHMEAD-BARTLETT: The right hon. Gentleman has not answered the last part of my question, as to who is to command the allied forces.

MR. A. J. BALFOUR: I have no answer to give to that question.

SIR E. ASHMEAD-BARTLETT: Has any decision been come to as to the command? It is very important.

MR. A. J. BALFOUR: I have told my hon. friend that I have no information to give him on the subject.

ANGLO-JAPANESE UNDERSTANDING.

MR. FLAVIN (Kerry, N.): I beg to ask the First Lord of the Treasury if he can state whether an understanding or agreement has been come to between Great Britain and Japan in connection with the situation in China.

MR. A. J. BALFOUR: The communications which have passed between Her Majesty's Government and Japan relate only to the prompt despatch of troops, and those communications will be laid on the Table with the Papers.

MR. MACLEAN (Cardiff): Can the right hon. Gentleman say who is going to pay the expenses of the Japanese troops?

*MR. SPEAKER: Order, order! Notice of that question should be given.

ORIGIN AND WARNINGS OF THE OUTBREAK—SIR CLAUDE MACDONALD'S DESPATCHES.

MR. MACLEAN: I beg to ask the Under Secretary of State for Foreign Affairs whether Sir Claude MacDonald called the attention of the Foreign Office to statements in the Chinese papers regarding an organised agitation to extirpate foreigners in China which was expected to break out this year; and whether he advised that adequate precautions should be taken to meet such an emergency.

*MR. BRODRICK: Sir Claude MacDonald did not call the attention of the Foreign Office to any such statements in the Chinese papers, but he reported upon the existence of various inflammatory placards, to which he had drawn the attention of the Tsung-li-Yamen. The only precaution he advised previous to the outbreak was the despatch of a guard to the Legation and a man-of-war to Ta-ku. Both of these steps were taken.

BRITISH EXPORTS OF AMMUNITION TO CHINA.

MR. SWIFT MACNEILL (Donegal, S.): I beg to ask the Under Secretary of State for War whether he has any knowledge of the number of guns and the quantity of ammunition which has been since 1895 exported from this country to China by Kynoch's Ammunition Company and by the Birmingham Small Arms Company, Limited.

*THE UNDER SECRETARY OF STATE FOR WAR (Mr. WYNDHAM,

Dover): As I have already stated, there is no objection to a Return showing the total quantity of guns and ammunition of various kinds sent to China from firms in this country; but I do not think it is desirable to publish the figures for any particular firm. I may say, however, that neither of the firms named by the hon. Member manufactures guns.

MR. SWIFT MACNEILL: On Monday† last the hon. Gentleman told us exactly how much ammunition was furnished by a German firm; on Thursday he declines to give the same information about a Birmingham firm.

*MR. SPEAKER: Order, order!

MR. SWIFT MACNEILL: Is the hon Gentleman aware that the chairman of this firm is a gentleman called Arthur Chamberlain?

MR. WARNER (Staffordshire, Lichfield): Has the importation of arms into China been stopped even now?

*MR. WYNDHAM: I must ask for notice of that. Whether we have the power to stop it involves an abstruse point of international law. As far as I know, we are not at war with China.

INDIAN TROOPS FOR CHINA—COST.

MR. BUCHANAN (Aberdeenshire, E.): I beg to ask the Secretary of State for India what provision is being made to recoup the India Exchequer for the initial expenditure on transport and similar purposes connected with the despatch of the Indian contingent to China.

THE SECRETARY OF STATE FOR INDIA (Lord G. HAMILTON, Middlesex, Ealing): An approximate estimate of the initial cost of the force that is being sent from India to China has been obtained from the Government of India, and forwarded to the War Office. When a Vote has been passed by the House, application for the amount will be made to the War Office.

INOCULATION AGAINST ENTERIC OF SOLDIERS ORDERED ABROAD.

MR. BARTLEY (Islington, N.): I beg to ask the Under Secretary of State for War whether his attention has been called to a report from Dr. Conan Doyle on the Langman Hospital, South African Field Force, Bloemfontein, in which he states that there had been no death from enteric up to 5th June from among the inoculated; whether the War Office has yet any official statistics on the results of inoculation; and whether any further efforts are being made to increase the number inoculated in men now going out to South Africa and China.

*MR. WYNDHAM: As I have already explained to the House, the statistics at present available are not sufficient to enable me to give a reply to the first and second paragraphs of the question. Inoculation is offered to all men embarking from home for a country, such as South Africa or China, where enteric is prevalent; but such inoculation is purely voluntary.

SOUTH AFRICAN WAR—COST OF THE WAR—CONTRIBUTION FROM THE TRANSVAAL MINES.

MR. BUCHANAN: I beg to ask Mr. Chancellor of the Exchequer what steps are being taken to secure payment of an indemnity for war expenses from the Transvaal mines.

THE CHANCELLOR OF THE EXCHEQUER (Sir M. HICKS BEACH, Bristol, W.): I presume the hon. Member's question refers to the contribution towards the cost of the war which we hope to obtain from the Transvaal. I do not think it would be accurately described as an indemnity from the mines, but it would be quite premature at present to make a statement as to the precise manner in which such a contribution should be obtained.

MR. BUCHANAN: Will the Government take steps, when the British authorities at Johannesburg allow the general resumption of mining operations, to see that such conditions are imposed upon them as to take security for the payment of a part of this money?

SIR M. HICKS BEACH: That is not our idea of the matter. Our idea is that the contribution to be provided by the Transvaal should be provided by the taxation of the country, which, of course, must necessarily fall to a large extent on the mines; but that is a different matter from what the hon. Member suggests.

† See page 945 of this volume.

MR. SWIFT MACNEILL: Does the right hon. Gentleman remember that on 23rd October he promised that the mines would be expected to pay for the war?*

SIR M. HICKS BEACH: I did not say that.

MR. SWIFT MACNEILL: Then what did you say?

SIR M. HICKS BEACH: I said exactly what I have stated to-day.

HOSPITAL AND MEDICAL ARRANGEMENTS—COMMITTEE OF INQUIRY.

MR. SWIFT MACNEILL: I beg to ask the First Lord of the Treasury whether he is aware that Professor Cunningham, who is to have a seat on the South African Commission to inquire into the charges brought against the administration of the Army Medical Department, has for many years acted as examiner in anatomy at the examinations of candidates for the Army Medical Department, for which service he received remuneration from the Army Medical service; and whether, under these circumstances, he will reconsider his decision to appoint this gentleman as a member of the inquiry into the Department with which he was formerly connected.

MR. A. J. BALFOUR: I think the hon. gentleman has asked this question under a misapprehension. He seems to think that because a gentleman is an examiner of medical candidates for the Army Medical Department he is associated in some way with the Department and is connected thereby with the administration of the War Office. That, Sir, is an entire misapprehension.

MR. EDMUND ROBERTSON (Dundee): Who appointed him?

MR. A. J. BALFOUR: I cannot say; nor do I think that that question is at all material. I understand that these examiners are appointed for four years at a fixed salary, and have nothing to hope or fear from the War Office. They are not in the remotest way connected with the War Office administration, and the suggestion that a man who examines figures—because he only knows the candidates by numbers—is a person whose judgment is likely to be influenced is altogether preposterous. It might as well be suggested that men like the late Professor Huxley or Matthew Arnold, or the present Bishop of London, or any other of the distinguished men who have been sometimes called in to examine candidates, would be incapable of acting on a Commission dealing with administrative points which never came under their notice.

MR. LABOUCHERE (Northampton): Will the right hon. Gentleman be good enough to state whether these examiners are to be reappointed?

MR. WARNER: Who pays these examiners? Is it the War Office?

MR. A. J. BALFOUR: I think that these questions are very inopportune. I do not believe it is the practice, as a matter of fact, to reappoint them. I shall next expect a question as to whether Dr. Church, as he is not an examiner, may not be corruptly influenced by the hope of becoming one.

MR. DILLON (Mayo, E.): Is it not a fact that Professor Cunningham was appointed to this post by the head of the Army Medical Department, on which he is called upon to sit in judgment?

MR. A. J. BALFOUR: It is not so.

MR. SWIFT MACNEILL: I want to know not whether Professor Cunningham has been appointed in his official and administrative capacity by the Secretary of State for War, but whether the Secretary of State for War did not appoint him ministerially on the advice of the head of the Army Medical Department, who is Dr. Jameson?

MR. A. J. BALFOUR: I believe that the Secretary of State for War did appoint him.

MR. SWIFT MACNEILL: Do I understand that he will sit in judgment on Dr. Jameson, who has appointed him?

MR. WEIR: (Ross and Cromarty): What is the salary paid to this gentleman?

* Refer to *The Parliamentary Debates* [Fourth Series], Vol. lxxvii. p. 515.

CAPTAIN DONELAN (Cork, E.): Is it in the power of the War Office to remove or retain Professor Cunningham in his appointment?

MR. A. J. BALFOUR: I believe not.

BLOEMFONTEIN — ADMISSIONS AND DEATHS FROM ENTERIC.

SIR WALTER FOSTER (Derbyshire, Ilkeston): I beg to ask the Under Secretary of State for War if he can state the number of admissions for enteric at Bloemfontein, and the number of deaths from that disease for the six weeks ending 22nd June.

*MR. WYNDHAM: No complete Returns for the three weeks ending 22nd June have yet reached the War Office. For the three weeks ending 1st June the figures are as follows:—First week: 684 admissions, 120 deaths; second week: 269 admissions, 108 deaths; third week: 227 admissions, 93 deaths. If the hon. Member will add these figures to those which I gave him on the 3rd inst. for the previous weeks he will find that the total percentage of deaths is about nineteen.

SETTLEMENT OF SOLDIERS IN SOUTH AFRICA AFTER THE WAR.

SIR JAMES RANKIN (Hereford): I beg to ask the First Lord of the Treasury if the Government have come to any decision as to the question of affording assistance in the way of free or assisted passages from England to South Africa to the families of soldiers who desire to settle in South Africa; and whether, when the Government have come to a decision on this matter, they will communicate their intentions to the Emigrants' Information Office, 31, Broadway, Westminster, so that the information may be properly diffused.

MR. A. J. BALFOUR: As my hon. friend is probably aware, a statement has already been made in the House, and the matter has been referred to a Departmental Committee. That Committee has not yet reported. I have no doubt that the suggestion contained in the last part of the question is one that will not be lost sight of by the Colonial Office.

MR. DILLON: Will the right hon. Gentleman give an assurance that no steps will be taken until the House of Commons has had an opportunity of expressing its opinion?

MR. A. J. BALFOUR: No, Sir, I do not think I can give such an assurance.

CHAPLAINS IN VOLUNTEER CAMPS.

MR. LEES KNOWLES (Salford, W.): I beg to ask the Under Secretary of State for War whether, having in view the possibility of sickness and accident, and in order that the ministrations of religion may be accessible to such as may need them, the Secretary of State will be prepared to sanction the appointment, in Volunteer brigade camps where no Army chaplain or clergyman, acting as such is available, of a brigade chaplain, who shall be responsible for the care of the sick in hospital during the week and for all services that may be necessary on Sundays, the said chaplain to receive the daily pay of his rank at Army rates during the camp, together with the usual allowances, but no further remuneration for Sunday services; and whether he will be prepared to allow the brigadier to have the appointment of the chaplain without reference to seniority, and to empower him at his discretion to appointfor the denomination next in numerical strength to that of the chaplain, a second brigade chaplain, whose pay shall be the same as that of the chaplain.

*MR. WYNDHAM: The Secretary of State has approved the appointment by the officer commanding a Volunteer brigade camp where no Army chaplain or acting Army chaplain is stationed, of a brigade chaplain with pay for Sunday duty at £1 1s. a service up to £2 2s. a Sunday. The officer commanding may also appoint a second brigade chaplain for the next most numerous denomination, on similar terms. The duties of a Volunteer chaplain differ so greatly in amount and variety from those of an Army chaplain, especially on week-days, that there does not appear to be any reason for granting Volunteer chaplains continuous pay at Army rates. Their services are only required on Sunday. It is unlikely that the cases of serious sickness could be such as to necessitate special spiritual provision.

PAY OF MILITIA MAJORS.

MR. BOSCAWEN (Kent, Tunbridge): I beg to ask the Under Secretary of State for War whether he is in a position now to state if the senior majors of embodied Militia who have been doing the same

work as seconds in command of Line battalions are to receive the extra pay given to the seconds in command of Line battalions; and, if so, if this additional pay will be given as from the respective dates of embodiment.

*MR. WYNDHAM: Yes, Sir. The additional 1s. a day will be granted for the period of embodiment.

BRITISH WAR SHIP OFF ZANZIBAR.

MR. J. A. PEASE (Northumberland, Tyneside): I beg to ask the First Lord of the Admiralty whether a war ship is now stationed at Zanzibar; if not, what steps have been taken to carry out the intention of the Government in regard to this matter.

THE CIVIL LORD OF THE ADMIRALTY (Mr. AUSTEN CHAMBERLAIN, Worcestershire, E.): The third class cruiser "Barrosa" was sent to Zanzibar in May last with orders to remain during the monsoon months, which last from May to the end of September. There is no intention of removing her at present.

ABYSSINIAN BOUNDARIES—EXPEDITION TO LAKE RUDOLPH.

*SIR CHARLES DILKE (Gloucestershire, Forest of Dean): I beg to ask the Under Secretary of State for Foreign Affairs whether an Abyssinian expedition to Lake Rudolph, under the command of the Russian Leontief, reached Lake Rudolph in August last, and whether a boundary with Abyssinia, north of Lake Rudolph, has been arranged.

*MR. BRODRICK: An expedition which started from Adis Ababa, under Monsieur Leontieff, in July last, is reported to have reached Lake Rudolph. The question of boundary with Abyssinia is still under discussion.

NEW PACIFIC CABLE.

*SIR EDWARD SASSOON (Hythe): I beg to ask the Secretary of State for the Colonies whether the Pacific Cable Board have now definitely decided to commence the laying of their cable.

THE SECRETARY OF STATE FOR THE COLONIES (Mr. J. CHAMBERLAIN, Birmingham, W.): The various Governments interested have accepted the recommendations of the Pacific Cable Committee, and tenders for the establishment of the cable will be called for immediately.

INDIAN TELEGRAPH TARIFF.

*SIR EDWARD SASSOON: I beg to ask the Secretary of State for India if he would state to the House when the reduction in the Indian telegraph tariff, as promised by the Financial Secretary to the Treasury, will be announced; and, whether any difficulty has arisen in the negotiations to account for the delay.

LORD G. HAMILTON: I cannot as yet state when the proposed reduction in the telegraph rate to India will take place. The consent of various parties has to be obtained, and for this time is required; but I am not aware that any difficulty has arisen in the negotiations.

*SIR E. SASSOON: Arising out of that answer, will the noble Lord say if it is intended to wait until the assembly of the International Telegraphic Conference next year, when Great Britain will have the high privilege of meeting on equal terms the representatives of Venezuela and Patagonia?

LORD G. HAMILTON: I do not think that question arises.

INDIAN FAMINE—LOAN BILL.

MR. BUCHANAN: I beg to ask the Secretary of State for India whether he intends to introduce an Indian Loan Bill; and if so, for what amount; and will it be in whole or in part for the purposes of famine relief.

LORD G. HAMILTON: There is no intention of introducing an Indian Loan Bill.

WALTHAMSTOW PETTY SESSIONS.

MR. WOODS (Essex, Walthamstow): I beg to ask the Secretary of State for the Home Department whether he is aware that the District Council of Walthamstow have been endeavouring for some time past to get a weekly court of petty sessions established at Walthamstow; and whether, having regard to the fact that the population of Walthamstow now amounts to 90,000, and is increasing, that the court house at Stratford is three miles from Walthamstow, and that the police and others interested suffer inconvenience by travelling this distance, which entails loss of time, he will advise the establishment of a weekly petty sessions court at Walthamstow; and, if

not, would he be prepared to meet a deputation, in order that the question might be fully considered.

*THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Sir M. WHITE RIDLEY, Lancashire, Blackpool): The establishment of a new petty sessional court is a matter for the discretion of the magistrates in quarter sessions, and with their discretion I have no authority to interfere. I do not, therefore, think that any useful purpose would be served by receiving a deputation.

G.P.O.—REMOVAL TO MOUNT PLEASANT—OVERTIME PAY.

MR. STEADMAN (Tower Hamlets, Stepney): I beg to ask the Secretary to the Treasury, as representing the Postmaster General, if he is aware that in consequence of the removal of the Inland section to Mount Pleasant, necessitating as it has done protracted deliveries, some of the men have been working two or three hours in excess of their proper time daily, and will he state whether they will receive pay for the overtime thus worked.

THE FINANCIAL SECRETARY TO THE TREASURY (Mr. HANBURY, Preston): The Postmaster General would be glad if the hon. Member would state to what body of men his question refers. No deliveries are made from the Inland section at Mount Pleasant. The general practice is that whenever postmen are for some special reason detained at the office and thus prevented from starting on their deliveries at the usual hour they shall be paid for such detention, provided it is not less than half-an-hour and the full normal attendance for the week is given.

MR. STEADMAN: Is it not a fact that some of the men have been working as many as twenty hours a week overtime in order to meet the extra work entailed upon them by the removal from St. Martin's-le-Grand to Mount Pleasant? They want to know if they are to be paid for that overtime.

MR. HANBURY: I understand that there are no deliveries at all from Mount Pleasant.

MR. STEADMAN: Then I will furnish the right hon. Gentleman with the names of men who have been doing the work.

POSTMEN'S STRIPES.

MR. STEADMAN: I beg to ask the Secretary to the Treasury, as representing the Postmaster General, if he will lay upon the Table of the House a copy of the Treasury Minute or Minutes orginally issued regulating the grant and withdrawal of postmen's stripes.

MR. HANBURY: There is no Treasury Minute on the subject. The award and forfeiture of good conduct stripes are now regulated on the recommendation of the Tweedmouth Committee.

E.C. DISTRICT POST OFFICES—REFRESHMENT ARRANGEMENTS.

MR. MADDISON (Sheffield, Brightside): I beg to ask the Secretary to the Treasury, as representing the Postmaster General, whether he is aware that, although the Treasury authorised the employment of cooks to prepare the meals of the male staff in the Eastern Central District Post Offices some months since, the arrangement has not been carried out because of the lack of accommodation and insanitary condition of the post offices; and whether the Postmaster General will take steps to carry out the necessary alterations that the staff may have the benefit of the improvements.

MR. HANBURY: The Treasury authority has not been given nor sought for the employment of cooks to prepare meals for the male staff in the Eastern Central District Post Offices; nor is it the case that the arrangement has not been carried out because of the lack of accommodation or insanitary condition of the offices. A committee has already inquired into the matter, and expects to be able to formulate a scheme shortly.

INCREASES OF POST OFFICE STAFF—CIRCULATION DEPARTMENT.

SIR J. W. MACLURE (Lancashire, Stretford): I beg to ask the Secretary to the Treasury what applications have been made during the current financial year by the Post Office to the Treasury for an increase of numbers, or pay, in connection with the Post Office staff; when they were made; and whether they were granted.

MR. HANBURY: I have not been able, with so short notice, to ascertain the facts as to the whole of the Post Office

staff everywhere, but as regards the Circulation Department of the General Post Office, in which, I think, my hon. friend and the House are most interested, I find that no request for increase of numbers or pay has been refused. So lately as last Monday, for instance, an application was received for extra staff in that department alone involving an extra expenditure of £20,000 a year, and was immediately granted. Funds have, I believe, never been so freely granted to this department as during the last five years.

ELECTRIC LIGHTING ORDERS—TRANSFER FORMS.

MR. LOUGH (Islington, W.): I beg to ask the President of the Board of Trade will he explain why the Board of Trade insist on all transfers of electric lighting orders to companies being in a standard form, and refuse to allow variations required by local conditions, also on what grounds they refuse to allow the insertion of agreed provisions for the reduction of the maximum price either for public or private lighting; and whether he will consider the desirability of relaxing these departmental rules.

MR. HANBURY (for Mr. RITCHIE): The Board of Trade do not consider that deeds of transfer under electric lighting orders should contain any provisions other than those which are consequential on the substitution of a company for a local authority as undertakers. To go beyond this is to provide, under the colour of a mere deed of transfer, for matters which really require the approval of Parliament. Transferees are accordingly placed in exactly the same position with regard to price as they would have been had they obtained the order originally. The price for public supply is left to agreement, or, failing agreement, to arbitration. The price for private supply is not specifically fixed, but is left, as in the order, subject to a maximum, which may be revised periodically by the Board of Trade on the representation of the local authority. I see no reason for altering the existing practice of the Department.

RAILWAY BYE-LAWS—NEW CODE.

MR. WEIR: I beg to ask the President of the Board of Trade whether the New Code of Railway Bye-laws, which was submitted to the Board upwards of two years ago, and remitted to the Railway Companies with certain modifications and suggestions, has again been submitted to the Board for confirmation; and, if not, will he state the general tenour of the replies given by the railway companies to the Board's repeated requests for the adoption of a satisfactory Code of Railway Bye-laws.

MR. HANBURY (for Mr. RITCHIE): No, Sir; the revised bye-laws have not yet been submitted. When the Board of Trade receive them the Department will act on a suggestion which has been made that a conference should take place between the railway companies and those—notably the London County Council—who have criticised the proposed bye-laws. The hon. Member is, no doubt, aware that the Board of Trade cannot themselves propound bye-laws—they merely confirm such bye-laws proposed by the companies as, in their judgment, merit approval.

DISMISSAL OF SCHOOL TEACHERS—RIGHT OF APPEAL.

SIR JOSEPH LEESE (Lancashire, Accrington): I beg to ask the Vice-President of the Committee of Council on Education if he is prepared to place upon the Table of the House a minute of the Board giving a right of appeal to teachers in cases of their alleged wrongful dismissal by managers of schools (both Board and Voluntary) which receive grants under the Day School Code.

MAJOR RASCH (Essex, S.E.): I beg also to ask the Vice-President of the Committee of Council on Education whether he has considered the universally expressed desire of the school teachers that no sentence of dismissal passed upon them shall be valid without the approval of the Board of Education.

THE VICE-PRESIDENT OF THE COMMITTEE OF COUNCIL ON EDUCATION (Sir J. GORST, Cambridge University): The matter is still under the consideration of the Board of Education, but I hope to be in a position to make a definite statement on the subject before the end of the session.

SEA-GOING TRAINING SHIPS—VISITS TO SCOTTISH COASTS.

MR. WEIR: I beg to ask the First Lord of the Admiralty whether arrange-

ments can be made for a training ship to visit Stornoway, Ullapool, and Invergordon during the summer.

MR. AUSTEN CHAMBERLAIN: The arrangements for the forthcoming cruise of the sea-going training ships will not admit of a visit to the places named. I may remind the hon. Gentleman that the "Calliope" was at Ullapool in June last.

GLASGOW P.O.—PROMOTIONS.

SIR J. STIRLING-MAXWELL (Glasgow, College): I beg to ask the Secretary to the Treasury, as representing the Postmaster General, whether he is aware that the late postmaster of Glasgow, a few days prior to his retirement, secured the promotion of his private clerk from the second to the first class of assistant superintendents, thereby passing over the only officer senior to him, who possessed the necessary technical certificate; whether in making that promotion the usual method of local procedure was departed from; whether the officer so passed over was refused information when he asked the postmaster whether a superior appointment was under consideration, being thereby prevented from laying before the Secretary his claims to the appointment; and whether, in view of the fact that the officer in question has placed his present appointment in the hands of the Postmaster General, with the request that an inquiry may be granted him, and that the officers of the local branch of the Postal Telegraph Clerks' Association have intimated to the chief superintendent that the general body of the staff resent the indignity placed on the assistant superintendent so passed over, the Postmaster General will grant the inquiry demanded.

MR. HANBURY: Shortly before the retirement of the late postmaster of Glasgow a promotion was made to fill a vacancy on the first class of assistant superintendents, but the officer promoted was not the postmaster's private clerk. An assistant superintendent of the second class was certified to be the best qualified for the vacant post, and he accordingly passed over the heads of four of his seniors. The proper course was taken by the postmaster in making the recommendation. It is not the practice to communicate to the staff the fact that the question of filling a superior appointment has arisen, nor is such a course necessary in order to ensure the proper weight being given to the claims of any officer. One officer only has appealed to the Postmaster General respecting the promotion, namely, the officer third on the list of second-class assistant superintendents. He was reported to be not capable of performing the duties of the higher post; and as his record is in many respects unsatisfactory, there does not appear to be any reason for making further inquiry.

FOREIGN TRAWLERS IN MORAY FIRTH.

SIR WILLIAM WEDDERBURN (Banffshire): I beg to ask the Lord Advocate whether he is aware that foreign trawlers, after making catches in the Moray Firth, do not ordinarily leave the Firth for periods sufficient to reach foreign ports; whether he will inquire into the allegation that they deliver their catches during the night to carrier boats which convey them to Aberdeen and other Scottish ports; and whether he will take steps to stop this practice if it is found to exist.

*THE LORD ADVOCATE (Mr. A. GRAHAM MURRAY, Buteshire): I am informed by the Fishery Board that they have no reason to suppose that such a practice is followed, nor do they think it could be carried out, except in very favourable weather, and in daylight. From information furnished to them by the commanders of their cruisers, it would appear that foreign trawlers do certainly remain away from the Moray Firth sufficiently long to convey their catches to English or foreign ports, as during the past eighteen months the majority were not seen in the Firth on more than four or five separate occasions, and at the present time there are only two foreign trawlers seen occasionally fishing in the Firth.

DRIFT NET FISHING IN THE RIVER FORTH.

MR. WASON (Clackmannan and Kinross): I beg to ask the Lord Advocate whether he has any funds at his disposal out of which he can make compensation to the salmon fishermen who have been prevented by the recent decision in the House of Lords from carrying on the drift net fishing in the River Forth, which has been practised from time immemorial.

*MR. A. GRAHAM MURRAY: If the hon. Member will refer to the Fishery Board's Annual Report for 1889, Part II., he will find that it is not correct to say that drift net fishing has been practised in the River Forth from time immemorial. I may add that the Secretary for Scotland has no funds at his disposal for any such purpose as is referred to in the question.

SCOTCH FEE GRANT.

MR. CALDWELL (Lanarkshire, Mid): I beg to ask the Lord Advocate whether any part, and if so, how much of the £5,000 voted last year from Imperial funds as required to maintain the Scotch fee grant at 12s. per scholar was required for that purpose, and whether the same or any part thereof has been surrendered; and if he can explain how it comes about that in 1897 he estimated that a sum of £26,000 annually out of Imperial funds would be necessary to keep the fee grant up to 12s. per scholar, whilst this year no sum whatever is borne on the Imperial Estimates for that purpose.

*MR. A. GRAHAM MURRAY: Of the £5,000 voted last year to maintain the Scotch fee grant at 12s. per scholar, £2,763 was required for that purpose. The remainder (£2,237) will be surrendered at the close of the year 1900-1. The explanation of the fact referred to in the last paragraph of the question is that the amount receivable by the Department for 1899-1900 from the local taxation account was so much in excess of that anticipated, that no further sum will be required from the Vote to maintain the 12s. rate. Also, the average attendance has not increased so rapidly as was expected.

MR. CALDWELL: I beg to ask the Lord Advocate if he can explain how it comes about that for the year ending 31st March, 1898, when the average attendance on which the Fee Grant was paid under Section 1 of the Education and Local Taxation (Scotland) Act, 1892, was 614,616, the amount paid to counties, etc., in relief of rates was £145,625; that for the year ending 31st March, 1899, when the average attendance was 621,405, the amount paid was £161,912; and that for the year ending 31st March, 1900, when the average attendance had risen to 626,341, the amount paid was £149,073; and whether, to the extent of upwards of £20,000, there has been an over payment to the counties, etc., to the detriment of the Fee Grant Fund, which under the Act of 1892 is entitled to the residue.

*MR. A. GRAHAM MURRAY: Under the Education and Local Taxation Account (Scotland) Act, 1892, Section 2, the grant to counties and burghs in relief of rates (which now includes the amount previously deducted under the Diseases of Animals Act, 1894) is the difference between the total—namely, £165,000—of grants fixed under Section 2 and the amount of the fee grant. An increase of the fee grant therefore causes a corresponding increase of the grant to counties and burghs, and consequently a corresponding decrease of the residue payable as an addition to the fee grant under Sub-section 6 of Section 2. The estimate for the fee grant is framed with reference to the estimated number of scholars, but does not necessarily correspond exactly with the actual average attendance. In the estimate for 1898-99 it included a sum of £21,000 for arrears of fee grant in previous years. If this £21,000 had not been included in the Vote the grant to counties and burghs would have been less, and the residue available as an addition to the fee grant would have been increased by the same amount. There has accordingly been no over-payment under the terms of the Act to counties and burghs to the detriment of the fee grant fund, as the whole payments are automatically adjusted over a period of years.

IRELAND—ENGLISH POLICE IN DUBLIN.

MR. PATRICK O'BRIEN (Kilkenny): I beg to ask the Secretary of State for the Home Department whether any members of any English police force are kept on duty in Dublin for the purpose of arresting absconding criminals or recovering stolen property; and, if so, from what source are they paid.

*SIR M. WHITE RIDLEY: The answer is in the negative.

IRISH POLICE AT HOLYHEAD.

MR. PATRICK O'BRIEN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he can say

how many absconding criminals have been arrested, and what amount of stolen property has been recovered, by the member of the Royal Irish Constabulary stationed at Holyhead since he went on duty there.

THE CHIEF SECRETARY FOR IRELAND (MR. G. W. BALFOUR, Leeds, Central): Ten absconding criminals have been arrested at Holyhead by the member of the Constabulary since he went on duty there in March, 1895, and stolen property of the value of £500 has been recovered by him.

COUNTY DOWN POSTAL ARRANGEMENTS.

MR. SAMUEL YOUNG (Cavan, E.): I beg to ask the Secretary to the Treasury, as representing the Postmaster General, with reference to the postal districts of Ballyroney and Katesbridge, county Down, whether he is aware that letters from England and Scotland do not reach these districts under two or three days, and letters from Bembridge, only nine miles distant from Ballyroney railway station, take nearly two days in transit, and that letters therefrom have to be sent through Rathfriland post office, and reach there too late for the cross-channel mails on same evening; and whether he will reconsider the desirability of making new arrangements by train for the accommodation of these two districts.

MR. HANBURY: As there is no second post in the day to or from Ballyroney and Katesbridge, letters sent from England and Scotland by night mail do not reach those places until the second day after posting, and letters from those places are not received in England and Scotland in time for delivery on the following morning. Returns are being taken with the view of ascertaining whether there is enough correspondence to warrant the establishment of a second post to and from Ballyroney and Katesbridge. The existing night mail service to Ballyroney and Katesbridge is performed by foot postman from Rathfriland, which in turn receives its mails by car from Newry. There are no trains by which Ballyroney and Katesbridge could be served in the morning. At present the mails reach Ballyroney at 7.5 a.m. and Katesbridge at 8.5 a.m., and are despatched from Ballyroney at 5.55 p.m. and from Katesbridge at 5 p.m. Letters posted at Banbridge (which is presumably meant, not Bembridge) in time for the mail leaving that town at 9.30 p.m. are delivered in Ballyroney and Katesbridge on the following morning.

DUBLIN SORTING OFFICE.

MR. PATRICK O'BRIEN: I beg to ask the Secretary to the Treasury, as representing the Postmaster General, whether the attention of the Postmaster General has been called to the condition of matters in the Dublin sorting office, where, owing to the small numbers employed, there is pressure of work, and between 6,000 and 7,000 letters, etc., the correspondence of the merchants and citizens of Dublin, are mis-sent each month; whether he is aware that, owing to the present postal arrangements, the English parcel mail viâ Holyhead, reaching North Wall about 6.45 a.m., does not arrive in the parcel sorting depot until 9 or 9.30 o'clock, thus occasioning delay in delivery; that sorting clerks working under pressure and against time, in consequence of insufficient evening staff in the letter sorting department, notwithstanding, are punished with extra work if they mis-send thirty-one letters per month; and that a similar course is not followed with regard to all offenders, an official found guilty of supplying wrong records against a postman (the postman thereby being deprived of his increment and a stripe) only losing a contemplated promotion; and whether he will cause an inquiry to be made into the alleged grievances.

MR. HANBURY: The Postmaster General has ascertained that there is nothing unsatisfactory in the condition of the Dublin sorting office. Extra staff is provided whenever it can be foreseen that pressure of duty may require it, and arrangements are contemplated for making a small permanent addition to the numbers employed in the evening. It is not the case that anything like 6,000 or 7,000 letters a month are mis-sent. In administering punishment every case is considered on its merits, and suitable allowance is made if the conditions under which the work is done are abnormal. The Postmaster General is aware of the want of punctuality in the receipt of the morning parcel mail viâ North Wall, and he is at the present time in communication with the railway company on the subject.

COUNTY KERRY TELEGRAPHIC COMMUNICATION.

MR. FLAVIN: I beg to ask the Secretary to the Treasury, as representing the Postmaster General, whether he is aware that inconvenience is caused in and around Cahirdaniel, county Kerry, owing to the want of telegraphic communications; and that a guarantee has been given in connection with the proposed telegraph office; and whether, in view of the fact that the fishing industry, which is of importance to that district, will be in operation during next month, immediate steps will be taken by the Post Office authorities to give the required telegraphic communications to Cahirdaniel.

MR. HANBURY: The Postmaster General is sorry that any inconvenience should arise from the lack of telegraphic communication with Cahirdaniel. He has given instructions for the extension of the telegraph to be put in hand; but the engineering staff is working under considerable pressure, and he fears he cannot promise that the work shall be completed at once.

INCOME TAX—RENTS OF LABOURERS' COTTAGES IN IRELAND.

MR. PATRICK O'BRIEN: I beg to ask Mr. Chancellor of the Exchequer whether he is aware that the income tax authorities claim from the Callan Rural District Council and the Slievedaragh Rural District Council payment of income tax on the rents receivable from labourers' cottages erected under the Labourers (Ireland) Acts; and whether, as the outlay on these cottages is a loss, or at least an unprofitable investment for the time being, and that a number of years must elapse before the invested capital is recovered and any profit can accrue, he will see that the demand for income tax will not be pressed.

SIR M. HICKS BEACH: I understand that the Inland Revenue Department is quite prepared to admit that if, in the cases referred to, the interest paid to the Board of Works on money borrowed to build cottages exceeds the rents payable to the rural district council, the assessment to income tax may properly be limited to the ground rents payable by the council to the landlords, on whom the charge will fall. But before the Department can authorise this reduction of the assessments, they must have all the facts properly laid before the Surveyor of Taxes, and up to now the clerk to the rural district councils has failed to supply the necessary information. If he will remedy this omission, the matter can, I hope, be satisfactorily arranged.

CO. CORK ROAD MAINTENANCE.

MR. WILLIAM ABRAHAM (Cork Co., N.E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that no tenders for the maintenance of five roads in the Mallow Rural District (including the streets of Mallow) have been accepted by the District Council or the County Council of Cork; in view of the fact that no moneys can be spent on the maintenance of these roads until a proposal is formulated by the district council at a quarterly meeting to be held on the 19th inst., and approved of by the county council at the quarterly meeting of that body in October next, will he state whether these roads can be handed over to the charge of the county surveyor, under Article 24 of the Procedure of Councils Order, 1899, to be maintained in the interval pending the formulation and approval of a proposal.

MR. G. W. BALFOUR: I understand that the failure in this case arose from the fact that a sufficient number of members to constitute a quorum was not present at the adjourned meeting of the county council on the 17th May. The Local Government Board do not consider that under the circumstances the county council can hand over the works in question to the county surveyor, as suggested.

MR. WILLIAM ABRAHAM: In the event of the next meeting having to be adjourned, which would then necessitate the matter going over till October, will the right hon. Gentleman make an order similar to that he issued last February?

MR. G. W. BALFOUR: I must ask for notice of that question.

CAPTAIN DONELAN: May I ask whether, in view of the fact that this difficulty would not have arisen if the councils had possessed the power to employ direct labour on the roads, the right hon. Gentle-

man will consider the desirability of conferring such power on them ?

MR. G. W. BALFOUR: I replied to a question of the hon. Member on this subject on the 9th instant.*

WEIR ESTATE, CO. FERMANAGH.

MR. MACALEESE (Monaghan, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he can state the cause of delay in completing the sale of the Weir estate in the county of Fermanagh; is he aware that Mrs. Alice Brown signed an agreement for purchase of her farm on this estate in April, 1896, and that, although she has several times made application to the Land Commission, and also to the solicitors for the vendors, she can get no satisfactory reply as to when the sale will be completed; and seeing that Mrs. Brown was in a position, before signing the agreement, to enter the Land Court and have a fair rent fixed, and is now paying £12 a year as interest on the purchase-money without any part of the principal being paid off till the sale is completed, will he cause inquiry to be made in this case.

MR. G. W. BALFOUR: The estate referred to appears to consist of three holdings. The contract for the sale to Mrs. Brown of her holding was lodged in February, 1897. The advance was conditionally sanctioned in May, 1897, but the abstract of the vendor's title was not lodged until March, 1898, and in July of the same year the title was ruled defective. The defect in the title was not remedied until January last. It will be ruled and the sale completed in the usual course.

STEAMBOAT COMMUNICATION WITH GLIN, LIMERICK.

MR. AUSTIN (Limerick, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, as President of the Local Government Board, if he has received a resolution from the Board of Management of the Glin (county Limerick) district school, calling attention to the urgent necessity for a means of communication by steamboat to Glin, in order to secure a proper attendance of the members who are required to come from the different unions, and to give facility to the various unions for the transit of the children, as at present they have to travel long distances by road in open cars; and whether the proposed extension of the Government steamer service from Tarbert to Foynes could be arranged so that the steamer could call at Glin, where there is a deep-water quay, to meet this requirement.

MR. G. W. BALFOUR: The reply to the first paragraph is in the affirmative. The Commissioners of Public Works are already in communication with the board of management of the district school on the subject, and it is hoped that arrangements may be made to effect the object in view.

IRISH LANGUAGE IN IRISH SCHOOLS.

MR. FLAVIN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that a feeling exists in many portions of Ireland owing to the fact that the teaching of Irish is not a compulsory subject in national schools; and whether, seeing that the Kerry County Council unanimously passed a resolution asking that Irish should be made the general medium of instruction, representations will be made to the National Board with a view of giving effect to this resolution, so as to make the teaching of Irish a compulsory subject within the regular school hours.

MR. G. W. BALFOUR: I have received a good many resolutions from public bodies in Ireland on this subject. The matter is one for the consideration of the Commissioners of National Education, and not one for the intervention of the Executive.

MR. FLAVIN: Will the right hon. Gentleman answer the last paragraph of my question ?

MR. G. W. BALFOUR: I have received no representations on the subject.

MR. PATRICK O'BRIEN: Have the National Commissioners under the new rules altered the conditions as to the teaching of the Irish language in Irish elementary schools ?

MR. G. W. BALFOUR: The hon. Gentleman had better await the issue of the rules.

* See page 966 of this volume.

MR. FLYNN (Cork, N.): Is there any "Commissioner of National Education" this House?

MR. G. W. BALFOUR: The Commissioners have no direct representative in this House.

MR. SWIFT MACNEILL: When will the rules be issued?

MR. G. W. BALFOUR: I am informed it will not be possible to issue them to-morrow, but a few copies will be available in the Vote Office for Irish Members.

BUSINESS OF THE HOUSE.

SIR H. CAMPBELL-BANNERMAN: May I ask the right hon. Gentleman what his prospects are with regard to the Estimates on Friday.

MR. A. J. BALFOUR: I had announced that after the Home Office Vote the Local Government Board Vote would be taken. I find that is now impossible, because my right hon. friend in charge of these Estimates is unable to be present. The Board of Trade Vote will therefore stand second. The Navy Estimates will be taken on Tuesday.

SIR HENRY FOWLER (Wolverhampton, W.): Will that be an allotted day?

MR. A. J. BALFOUR: Yes. The reason for taking them on Tuesday next week is owing to the very great interest which is evinced in the subject of water-tube boilers. My right hon. friend the First Lord of the Admiralty has not been able to furnish the Memorandum for the use of hon. Members so early as he expected, but he thinks that no long delay in discussing the question should take place.

MR. GIBSON BOWLES (Lynn Regis): When shall we have the Memorandum?

MR. A. J. BALFOUR: I cannot say in the absence of my right hon. friend.

SIR H. CAMPBELL-BANNERMAN: What will be the business for Monday?

MR. A. J. BALFOUR: On Monday I will make a statement about Ministerial business, and I shall then ask the House to suspend the Twelve o'clock rule for the remainder of the session. [AN HON. MEMBER: After wasting time on a garden party.] The Tithe Bill will be the first Order on Monday.

SIR H. CAMPBELL-BANNERMAN: As to the notice of motion standing on the Paper with reference to the Money-lending Bill, may I suggest that proceeding with that motion should be deferred until after the right hon. Gentleman's statement on Monday.

MR. A. J. BALFOUR: I do not know that there is any reason for that. I understand that the Bill, now that the schedule has been dropped, meets with universal acceptance on both sides of the House. [Cries of "No, no!"] That is the impression I gather.

MESSAGE FROM THE LORDS.

That they have agreed to the Land Registry (New Buildings) Bill, without amendment.

That they have passed a Bill intituled, "An Act to amend the Law relating to Lunatics in Ireland." Lunacy Regulation (Ireland) Bill [Lords].

MONEY-LENDING BILL [Lords].

Motion made, and Question proposed, "That the Order [26th June] that the Money-lending Bill [Lords] be committed to the Standing Committee on Trade, etc., be read, and discharged; and that the Bill be committed to the Standing Committee on Law, etc." — (*Sir William Walrond.*)

MR. DILLON (Mayo, E.): Being a member of the Standing Committee, I would like to know whether there is any intention on the part of the Government to pass this Bill this year? If not, why should we be kept in the Committee Room dealing with it?

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): It is my hope that the Bill will pass. I have already stated that I understood the opposition to the Bill had to a very large extent been modified by the removal of the schedule.

MR. GIBSON BOWLES (Lynn Regis) said he thought the right hon. Gentleman was wholly mistaken in his estimate of

the opposition to this Bill. He could not understand this motion. On the 26th June, sixteen days previously, a member of the Government, whom he saw sitting on the Front Bench, moved that the Bill be committed to the Standing Committee on Trade. If he remembered rightly, the first idea was that it should go before the Standing Committee on Law, but, after consultation presumably with other members of the Government, the Secretary to the Local Government Board decided to ask that it be sent to the other Committee. There was thus a deliberative consideration on the part of the Government of the claims of the two Standing Committees to either of which the Bill might be sent, and the claim of the Standing Committee on Trade was considered to be superior. Now, there had been no attempt to explain the reasons which prevailed with the Government to induce it to refer the Bill to the Standing Committee on Law. He had, therefore, set himself to discover some reason. His first impression was that the object was possibly to save the Government from having to make the distressful announcement on Monday that this was one of the Bills which would have to be sacrificed, as undoubtedly it would have to be sooner or later this session. Then another reason which suggested itself to his mind was that the Committee on Trade had got more than it could do, while the Committee on Law had not sufficient work before it. But surely, if that were the case, it must have been known to the Government on the 26th June. He did not know whether as a matter of fact the Committee on Trade had yet entered on the consideration of the Bill. Even if it were transferred to the Committee on Law, was there any probability that it would become an Act of Parliament this session? He did not think there was, and the only effect, therefore, would be the unnecessary withdrawal from the service of the House of Members belonging to the Committee. Believing the Bill to be a bad one, he did not want to see it passed, even although the schedule was taken out of it. He therefore proposed as an Amendment that all words after "discharged" be omitted.

*MR. SPEAKER: I do not think that is a motion which ought to be made, seeing that its object is to destroy a Bill which has passed its Second Reading in this House.

MR. GIBSON BOWLES: My real intention was to elicit some explanation from the Government of the action they are taking. I should like to know whether the reasons I have advanced are correct or not. Still, if the Amendment is not in order I will not move it.

THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr. T. W. RUSSELL, Tyrone, S.): The fact is the Bill was originally referred to the Standing Committee on Trade under the idea that the Companies Bill would not take so long as it has done. The Committee, however, has only got to Clause 12 of that Bill, whereas the Law Committee is practically clear for work; and there is no reason why the latter should not take up the Money-lending Bill, and so give the Bill a chance which it would hardly have if it remained before the Committee on Trade.

MR. MACLEAN (Cardiff): I protest strongly against the extraordinary want of consideration shown by the Government for the Standing Committee. Why was not this motion made a week ago? The Standing Committee was actually called together to discuss a measure about Sunday Closing in Wales which the First Lord of the Treasury had previously announced to the House to be as dead as mutton. Then the Committee had another meeting, at which no work was done. I do think that more consideration should have been shown by the Government. These Committees do admirable work; in fact they do the greater part of the work of the House by knocking Bills into shape, and they are, therefore, entitled to have some consideration shown them.

SIR. H. CAMPBELL-BANNERMAN (Stirling Burghs): I merely rise to point out a matter which seems to be escaping the attention of the House, namely, that these two Committees are not merely co-ordinate Committees, but according to the Standing Orders they are appointed and constituted to deal with distinct branches of legislation. One is called into existence to deal with Bills which relate to law, the Courts of Justice and legal proceedings, while the other has to deal with trade, shipping, manufac-

tures, agriculture and fishing. Therefore, although the line of demarcation may sometimes be very narrow, the House must not get into the habit of moving Bills indifferently from one Committee to another according to the chances of success.

MR. DILLON: As a point of order, may I ask whether the effect of the Amendment of the hon. Member for King's Lynn would not really be not to destroy the Bill, but to leave the Bill in the position it occupied before the Motion to refer the Bill to the Committee on Trade was passed?

*MR. SPEAKER: The hon. Member is quite right. I was for the moment misled by the observation of the hon. Member for King's Lynn himself when he said that to stop the further progress of the Bill he would move this. The true effect would be to leave the Bill to the Committee of the whole House. I quite agree, therefore, that, strictly speaking, it is not out of order, and that being so, I will accept the Amendment.

MR. GIBSON BOWLES: Then I will move it. I do not think that I need repeat what I have said in support of it.

Amendment proposed—

"To leave out from the word 'discharged,' to the end of the Question."—(*Mr. Gibson Bowles.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

*MR. JAMES LOWTHER (Kent, Thanet): I should be sorry to find myself compelled to go into the opposite Lobby to my hon. friend, and I therefore hope he will be satisfied with the discussion which has taken place and with the explanations that have been given, and will withdraw his Amendment. I think that this is one of the few non-mischievous Bills which this House has had an opportunity of considering, and it would be a pity if, on the grounds he has stated, it should not have a fair chance of passing. I feel some difficulty in supporting the reference to a Standing Committee, because I think such committees are most objectionable institutions. I have always opposed them, and I originally did so in conjunction with my political friends, who now take the opposite course. As my hon. friend appears to have very slight hope of this Bill passing under any conditions, I would suggest that he should not press the matter to a division.

The House divided:—Ayes, 228; Noes, 61. (Division List No. 211.)

AYES.

Abraham, Wm. (Cork, N.E.)
Acland-Hood, Capt. Sir Alex. F.
Allison, Robert Andrew
Allsopp, Hon. George
Anson, Sir William Reynell
Arrol, Sir William
Ashmead-Bartlett, Sir Ellis
Ashton, Thomas Gair
Atkinson, Rt. Hon. John
Bailey, James (Walworth)
Balfour, Rt. Hon. A. J. (Manc'r.
Balfour, Rt Hn Gerald W. (Leeds
Banbury, Frederick George
Bartley, George, C. T.
Bayley, Thomas (Derbyshire)
Beach, Rt. Hn. Sir M. H. (Bristol
Beach, Rt. Hn. W. W. B. (Hants)
Bethell, Commander
Biddulph Michael
Blundell, Colonel Henry
Bonsor, Henry Cosmo Orme
Boscawen, Arthur Griffith-
Boulnois, Edmund
Bowles, Capt. H. F. (Middlesex
Brassey, Albert
Brigg, John
Brodrick, Rt. Hon. St. John
Bryce, Rt. Hon. James
Bullard, Sir Harry
Burdett-Coutts, W.
Burt, Thomas
Caldwell, James
Campbell, Rt Hn J. A. (Glasgow
Campbell-Bannerman, Sir H.
Carson, Rt. Hon. Sir Edw. H.
Causton, Richard Knight
Cavendish, R. F. (N. Lancs.)
Cavendish, V. C. W. (Derbys.)
Cayzer, Sir Charles William
Cecil, Evelyn (Hertford, East)
Cecil, Lord Hugh (Greenwich)
Chamberlain, Rt. Hn. J. (Birm.)
Chamberlain, J. A. (Worc'r.)
Chelsea, Viscount
Coddington, Sir William
Coghill, Douglas Harry
Cohen, Benjamin Louis
Collings, Rt. Hon. Jesse
Colomb, Sir John Chas. Ready
Cook, Fred. Lucas (Lambeth)
Cooke, C. W. Radcliffe (Heref'd
Cornwallis, Fiennes Stanley W.
Crilly, Daniel
Cripps, Charles Alfred
Crombie, John William
Curran, Thomas (Sligo, S.)
Dalrymple, Sir Charles
Dickinson, Robert Edmond
Dilke, Rt. Hon. Sir Charles
Dillon, John
Donelan, Captain A.
Doogan, P. C.
Douglas, Rt. Hon. A. Akers-
Doxford, Sir Wm. Theodore
Drage, Geoffrey
Dyke, Rt. Hn. Sir Wm. Hart
Elliot, Hn. A. Ralph Douglas
Emmott, Alfred
Fardell, Sir T. George
Fellowes, Hon. Ailwyn Edward
Fergusson, Rt. Hn. Sir J. (Man'r
Finch, George H.
Finlay, Sir Robert Bannatyne
Fisher, William Hayes
Flannery, Sir Fortescue
Flavin, Michael Joseph
Forster, Henry William
Foster, Sir Walter (Derby Co.)
Fowler, Rt. Hon Sir Henry
Fry, Lewis
Galloway, William Johnson
Gedge, Sydney
Gibbons, J. Lloyd
Giles, Charles Tyrrell
Gilliat, John Saunders
Gladstone, Rt. Hon. Herbert J.
Godson, Sir Augustus Fredk
Goldsworthy, Major-General
Gordon, Hon. John Edward
Gorst, Rt. Hn. Sir John Eldon

Goschen, George J. (Sussex)
Goulding, Edward Alfred
Gull, Sir Cameron
Gunter, Colonel
Gurdon, Sir William Brampton
Hamilton, Rt. Hn. Lord George
Hanbury, Rt. Hn. Robert Wm.
Harwood, George
Hayne, Rt. Hon. Chas. Seale-
Hazell, Walter
Helder, Augustus
Hemphill, Rt. Hn. Charles H.
Hoare, E. Brodie (Hampstead)
Hoare, Sir Samuel (Norwich)
Howard, Joseph
Jacoby, James Alfred
Jebb, Sir Richard Claverhouse
Jeffreys, Arthur Frederick
Johnson-Ferguson, Jabez E.
Johnstone, Heywood (Sussex)
Joicey, Sir James
Jones, Wm. (Carnarvonshire)
Kay-Shuttleworth, Rt Hn Sir U
Kennaway, Rt. Hon. Sir J. H.
Kenyon-Slaney, Col. William
King, Sir Henry Seymour
Kitson, Sir James
Knowles, Lees
Labouchere, Henry
Langley, Batty
Lawrence, Sir E. Durning-(Corn
Lawson, John Grant (Yorks.)
Lea, Sir Thomas (Londonderry)
Lecky, Rt. Hon. Wm. E. H.
Llewelyn, Sir Dillwyn-(Swans'a
Loder, Gerald Walter Erskine
Long, Col. Charles W. (Evesham
Long, Rt. Hn. Walter (Liv'pool)
Lonsdale, John Brownlee
Lopes, Henry Yarde Buller
Lowe, Francis William
Lowther, Rt. Hon. James (Kent)
Loyd, Archie Kirkman
Lucas-Shadwell, William
Macaleese, Daniel
MacNeill, John Gordon Swift
M'Arthur, William (Cornwall)
M'Ewan, William
M'Ghee, Richard
M'Iver, Sir Lewis (Edin. W.)
M'Killop, James
Malcolm, Ian
Mappin, Sir Frederick Thorpe
Martin, Richard Biddulph
Mellor, Colonel (Lancashire)
Mellor, Rt. Hon. J. W. (Yorks.)
Melville, Beresford Valentine
Middlemore, J. Throgmorton
Milbank, Sir Powlett Charles J.
Monk, Charles James
Moon, Edward Robert Pacy
More, Robt. Jasper (Shropsh.)
Morrison, Walter
Morton, Arthur H. A. (Deptford
Mowbray, Sir Robert Gray C.
Murray, Rt. Hn. A. G. (Bute)
Myers, William Henry
Newdigate, Francis Alexander
Nicholson, William Graham
Nicol, Donald Ninian
O'Brien, Patrick (Kilkenny)
O'Connor, Arthur (Donegal)
O'Connor, James (Wicklow, W.
O'Connor, T. P. (Liverpool)
O'Kelly, James
Oldroyd, Mark
O'Malley, William
Pease, Herbert P. (Darlington)
Pease, Joseph A. (Northumb.)
Percy, Earl
Pilkington, Rich (L'ncs Newton
Pilkington, Sir G A (Lancs. S. W.
Platt-Higgins, Frederick
Powell, Sir Francis Sharpe
Pryce-Jones, Lt.-Col. Edward
Purvis, Robert
Rankin, Sir James
Reckitt, Harold James
Richardson, J. (Durham, S. E.)
Rickett, J. Compton
Ritchie, Rt. Hon. C. Thomson
Rothschild, Hon. Lionel Walter
Russell, Gen. F. S. (Cheltenh'm)
Russell, T. W. (Tyrone)
Samuel, Harry S. (Limehouse
Sassoon, Sir Edward Albert
Savory, Sir Joseph
Seely, Charles Hilton
Sharpe, William Edward T.
Smith, Jas. Parker (Lanarks.)
Smith, Samuel (Flint)
Smith, Hon. W. F. D. (Strand)
Souttar, Robinson
Spencer, Ernest
Spicer, Albert
Stanley, Hon Arthur (Ormskirk
Stanley, Edward Jas. (Somers't
Stanley, Sir H. M. (Lambeth)
Steadman, William Charles
Stewart, Sir Mark J. M'Taggart
Stock, James Henry
Strachey, Edward
Thomas, A. (Glamorgan, E.)
Tollemache, Henry James
Tomlinson, W. E. Murray
Tritton, Charles Ernest
Tuke, Sir John Batty
Wanklyn, James Leslie
Warr, Augustus Frederick
Wedderburn, Sir William
Welby, Lt.-Col ACE (Taunton
Welby, Sir C. G. E. (Notts.)
Whiteley, H. (Ashton-under-L.
Whitmore, Charles Algernon
Williams, Colonel R. (Dorset)
Williams, Joseph Powell-(Birm
Willox, Sir John Archibald
Wills, Sir William Henry
Wilson, John (Falkirk)
Wilson-Todd, Wm. H. (Yorks
Wodehouse, Rt. Hn. E. R. (Bath
Woodhouse, Sir J. T. (Hudders.
Wortley, Rt. Hon. C. B. Stuart-
Wylie, Alexander
Wyndham, George
Wyvill, Marmaduke D'Arcy
Yerburgh, Robert Armstrong
Young, Commander (Berks, E.)
Young, Samuel (Cavan, East)

TELLERS FOR THE AYES—
Sir William Walrond and
Mr Anstruther.

NOES.

Allan, William (Gateshead)
Austin, M. (Limerick, W.)
Bainbridge, Emerson
Barlow, John Emmott
Beaumont, Wentworth C. B.
Billson, Alfred
Buchanan, Thomas Ryburn
Cameron, Sir Chas. (Glasgow)
Cameron, Robert (Durham)
Cawley, Frederick
Courtney, Rt. Hon. Leonard H.
Dalziel, James Henry
Evans, Samuel T. (Glamorgan
Farquharson, Dr. Robert
Fenwick, Charles
Flynn, James Christopher
Fox, Dr. Joseph Francis
Goddard, Daniel Ford
Hedderwick, Thos. Charles H.
Horniman, Frederick J.
Hutton, Alfred E. (Morley)
Jones, David Brynmor (Swans'a
Kearley, Hudson E.
Lawson, Sir Wilfrid (Cumb'l'nd
Lewis, John Herbert
Lough, Thomas
Maclean, James Mackenzie
M'Laren, Charles Benjamin
Molloy, Bernard Charles
Morgan, W Pritchard (Merthyr
Moulton, John Fletcher
Norton, Capt. Cecil William
Nussey, Thomas Willans
Paulton, James Mellor
Philipps, John Wynford
Pickersgill, Edward Hare
Price, Robert John
Provand, Andrew Dryburgh
Robertson, Edmund (Dundee)
Samuel, J. (Stockton-on-Tees)
Shaw, Charles Edw. (Stafford)
Sinclair, Capt. J. (Forfarshire)
Soames, Arthur Wellesley
Stanhope, Hon. Philip J.
Stevenson, Francis S.
Sullivan, Donal (Westmeath)
Tanner, Charles Kearns
Tennant, Harold John
Thomas, Abel (Carmarthen, E.)
Thomas, David A. (Merthyr)
Trevelyan, Charles Philips
Wallace, Robert
Walton, John Lawson (Leeds, S.
Walton, Joseph (Barnsley)
Warner, Thomas Courtenay T.
Weir, James Galloway
Wilson, Charles Henry (Hull)
Wilson, John (Durham, Mid)
Wilson, John (Govan)
Woods, Samuel
Yoxall, James Henry

TELLERS FOR THE NOES—
Mr. Gibson Bowles and Mr.
Lloyd Morgan.

Main Question put, and agreed to.

Ordered, That the Order [26th June] that the Money-lending Bill [Lords] be committed to the Standing Committee on Trade, etc., be read, and discharged; and that the Bill be committed to the Standing Committee on Law, etc.

AGRICULTURAL HOLDINGS BILL.

As amended (by the Standing Committee), further considered.

*MR. MOULTON (Cornwall, Launceston): The Amendment which I am now moving must be considered with three others which follow and which are consequential. The purpose of the Amendment is to save this very useful and important clause from becoming, I fear, an absolutely dead letter. I am quite sure that as it stands, it will be impossible to obtain any useful result from it, and I am even doubtful whether the language I am proposing is sufficient to meet the difficulty. According to the doctrine of Chancery penal rents cannot be enforced when they appear in the form of penal rents. But, unfortunately, by a series of decisions so firmly fixed for years that it is hopeless to attempt to disturb them, that doctrine has been practically nullified. If the penal rent, for instance, is expressed in the form that the rent of £200 shall become £300 in the last year of the tenancy, if the way-going crop is sold off the farm, it may well be that Chancery will not enforce it. But if the lease provides that the rent in the last year of the tenancy is to be £300 to be reduced to £200 if the way-going crop is not sold, that great Court allows itself to be hoodwinked by the form of the clause and fails to see that it means precisely the same as the clause I first referred to, and I regard it as a valid and enforceable clause. This form of provision in a lease will not be touched by the Bill if the clause we are discussing stands in the form it is at present, so that it will be open to any conveyancing clerk, in drawing a contract of tenancy, to avoid the provisions of the clause, and make penal rents just as much enforceable as at present by merely using the affirmative form rather than the negative. By that simple turn of a sentence, the whole action of the clause can be avoided. In order to escape the incidence of these decisions, it will of course be necessary to draft the clause very carefully to show that it is the intention of the Legislature that by no form or device of conveyancing can penal rents be enforced. The language which I propose, and which is contained in this and the subsequent Amendments is as follows—

"Notwithstanding any provision or exception in a contract of tenancy relating to the payment by the tenant of an increased rent or liquidated damages or any other penal consequences for a breach of a covenant or non-compliance with a condition,"

the landlord shall not be entitled to recover any sum in excess of the damage actually suffered by him. I do not think that the words I propose are too wide. We have not to consider forfeiture for breach of conditions. This class of penal provision, which is the most important, was settled by Earl Cairns' Act in 1881. All we have now to consider is that the clause should prevent exaggerated money payment for a breach of conditions. In other words, we have to make this clause adhere to the great English principle that if a man makes a breach of contract, the other party is adequately compensated by the full damages following on that breach. This principle is a most just one. The clause does not take from the landlord the power to recover full and ample damages for breach of contract; all it says is that a contract of tenancy shall not be based on the principle that a man may get a profit out of a breach of contract—that is to say, that he can recover damages out of all proportion to the damage that he has suffered. I cannot but think that the object of the Amendment will be sympathised with on both sides of the House. The presence of the clause in the Act shows that the Government have the intention not only in form, but in substance, to get rid of these penal consequences. For the reasons which I have given to the House it is necessary that the clause should be drafted in a very wide way. I have no special affection for the language I propose, but it appears to me that if we adhere at all to the form of that clause, that language is the best. Of course if the Government acknowledge that their object is the same as mine, and that it is their intention that penal rents in any form shall not be enforceable, I have no desire that these particular words should be accepted. If I may express my own opinion, I think that the point being one of great diffi-

culty, the best course for the Government to pursue would be to have a new clause drawn up with due regard to the decisions which have been given. I beg to move.

Amendment proposed—

"In page 4, line 1, after the word 'provision,' to insert the words 'or exception.'"—(*Mr. Moulton.*)

Question proposed, "That the words 'or exception' be there inserted."

THE ATTORNEY GENERAL (Sir ROBERT FINLAY, Inverness Burghs): I am sure the House will thank the hon. and learned Gentleman for the great clearness and the temperate manner with which he has dealt with this question. The principle which the hon. and learned Gentleman has in view is one to which the Government have no objection. At the same time, I share the misgiving of the hon. and learned Gentleman as to whether the words on the Paper are quite adequate to carry out the purpose intended. The words which are on the Paper as to "any other penal consequences" might be held to include—at all events it might be argued that they included, the right of re-entrance. Is is perfectly true, as was pointed out by my hon. and learned friend, that the provisions of Lord Cairns' Act limited the right of re-entry, and it might be said that these words would put an end to the right of re-entry altogether. Under these circumstances the Government will carefully consider the matter before the Bill reaches Committee stage in another place.

*MR. STRACHEY (Somersetshire, S.) hoped that the Attorney General would make it clear whether the Government, in accepting the Amendment of the hon. and learned Gentleman the Member for Launceston, meant to make the penal clauses in regard to breaking up permanent pasture, grubbing underwoods or felling, cutting, lopping, or injuring trees, inoperative.

SIR ROBERT FINLAY: If the hon. Gentleman will allow me to say so, I never stated that I would accept the Amendment in reference to the concluding words of the clause.

*MR. STRACHEY said that when the Government introduced the Bill it did not allow the landlord to introduce any penal clauses in their contracts of tenancy; and it was necessary to have a distinct understanding on this point, because, while it was quite right to enact that only certain penal rents should be operative, it was not right to give permission in certain cases to impose penal rents, and then by insertion of certain words to make those rents voidable, as the Amendment would do. The Government were playing fast and loose.

*THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. LONG, Liverpool, West Derby): The hon. Gentleman has shown clearly that he does not understand the clause as it stands, the Amendment of my hon. and learned friend, or the Bill as introduced by the Government. He has entirely misrepresented all three, and has stated broadly to the House that it was intended by the Government to sanction the breaking up of permanent pasture.

*MR. STRACHEY: The right hon. Gentleman entirely misrepresents me.

*MR. LONG: If that is not what the right hon. Gentleman intended to say, then I do not understand the point of his reference to penal clauses.

*MR. STRACHEY: What I said was that the Government in the first place, by their Bill as introduced, prohibited all penal rents, even for breaking up permanent pasture. In the Standing Committee on Trade the Government, under pressure, had to move, and carried, an Amendment allowing penal rents in the case of breaking up permanent pasture without consent of the landlord. Now the Government, if they accept the Amendment of the hon. Member for Launceston, will be undoing what they did in the Standing Committee, for the hon. Member, in moving his Amendment, stated that its object was to make the penal rents inoperative.

*MR. LONG: The view the Government took was fully explained in Committee upstairs. It was that the landlord, in the case of permanent pasture being broken up, could recover from the tenant as for an act of waste, and that the insertion of a penal clause did not strengthen his position. It was pointed out by the

hon. and learned Member for Launceston that the effect of the clause in the Bill as it stands would not be such as the Government desire, that a coach and four might be driven through it, and that a penal clause might be made outside it. In order to prevent that the hon. and learned Gentleman proposed words which my right hon. and learned friend the Attorney General has accepted in spirit, in order that the words in the clause may do exactly what the Government desire them to do, neither less nor more.

*MR. MOULTON: I am quite satisfied with the assurance given, and ask leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

LORD HUGH CECIL (Greenwich): I would hardly have ventured to trouble the House with the Amendment standing in my name on the matter of penal rents were it not that in this clause there is a rather vicious principle which deserves consideration. On the face of it, the clause would appear to intervene in contracts of tenancy now existing, and which have still seven or eight years to run. If that is so, it would break up these contracts and set up a new state of things. I think that is rather a dangerous principle to introduce into an Act of Parliament. The purpose of my Amendment is to safeguard existing contracts, and leave the operation of the clause to contracts made after the passing of the Act. I hope my Amendment will be accepted. I think it would be a great pity if the progress of the Bill, which, on the whole, has proceeded on very moderate lines, should be arrested by embarking on a principle of a revolutionary character, and which would subvert the rights of property, which the President of the Board of Agriculture should be the very first person to safeguard.

Amendment proposed—

"In page 4, line 1, after the word 'tenancy,' to insert the words 'made after the passing of this Act.'"—(*Lord Hugh Cecil.*)

Question proposed, "That those words be there inserted."

*MR. LONG: I do not at all wonder that the noble Lord has found it necessary to call attention to the operation of the clause. It is undoubtedly true, as he has stated, that it makes a serious breach in the existing law in regard to contracts already made. I hope I shall be able to show the House some good grounds for the course the Government have adopted, and I trust that my noble friend and others who, like myself, attach great importance to the preservation of existing contracts, will acknowledge that except in name and in a technical sense it can hardly be said that this clause will involve the serious results which my noble friend fears. What are those so-called penal rents which the Government wish by this clause to abolish? First, let me point out that by the exception to which reference has already been made those penal clauses which are abolished refer only to what I may call the tenant's cultivation of the soil as opposed to any act of agriculture which would interfere with the character of the holding. We have separated these two matters in all that we have proposed in the Bill. At the present time in regard to a great many of these penal clauses, we find, from the evidence of the most experienced valuers, that they are disregarded by the valuers because they consider them inoperative and unjust. What is the object of these penal clauses? It is not, I submit, to give the landlord power to recover against the tenant, but to enable him to prevent the tenant from indulging in certain practices which the landlord believes, and probably rightly, will result in great permanent damage, or at any rate in a serious change in the character of his property. Now this result has followed—that although the land has been maintained in proper condition, and damage has been avoided, when the ultimate settlement between landlord and tenant has to be made, these penal clauses have been suddenly dug out of obscurity, as it were, and have been held against the tenant in such a way as has led the tenant not only to lose the compensation for the improvements which everybody admits he has made on his farm, but to his actually being mulcted in damages over and above his own claim, because he has been guilty of a breach of contract covered by a penal clause. There was a case the other day in which the tenant had so far improved the value of his holding that the rent was actually raised from thirty-five shillings to £8 per acre, but by doing so he had brought himself within the law because he had broken a

penal clause. The result was that, although the land was improved in value to the extent I have named, not only did he lose the compensation due to him for unexhausted improvements, but he was mulcted in heavy damages besides. In the first place these penal clauses are very often discouraged and disregarded by the valuers, and not only are they disregarded, but when their validity is admitted, they very frequently result in manifest injustice to the tenant. What would be the result if this Amendment were carried? It would lull the landlord into a false sense of security by giving him protection which is protection only in name. It would not protect him against the injury done to his property by the tenant. In all these discussions upon the question of land legislation proposals have been made from each side of the House pressing for drastic reforms. On both sides of the House reasons have been adduced to show that great and permanent injury would result to the land unless those proposals were admitted; but one claim has been universally admitted, and that is that the tenants within proper limits should have absolute freedom in the cultivation of his land. There is no freedom to cultivate the land if these penal clauses are retained and held *in terrorem* over the head of the tenant, who knows that if he indulges in freedom of cultivation he will have to pay for it when he leaves. I submit that the Government have been justified in the course they have taken in regard to this particular question, and I hope the House will support us.

*EARL PERCY (Kensington, S.) said that this was not a point upon which he felt very strongly, but he thought the fact that these penal clauses were now in abeyance, because the arbitrators did not think fit to enforce them, was no argument for doing away with them. The precedent of changing the law because people did not pay attention to their statutory obligations was a very bad one, and ought not to be made. He thought the argument that the penal clauses were not essential to the interests of the landlords, and they did inflict an injustice on the tenants, was true, and it was a good argument against penal clauses, but no argument at all for breaking contracts which the tenant had entered into with his eyes open. The right hon. Gentleman the President of the Board of Agriculture was rather severe on the hon. Member for East Northamptonshire a few days previously because he explained that tenants, as a rule, were people who were not capable of looking after their own interests, but it was only on that principle that this clause was defensible or excusable. He did not think where a tenant entered into a contract with full knowledge it was desirable to allow him to break it. The right hon. Gentleman might very well accept the Amendment, because, after all, it dealt with a very small number of cases. Of all the decisions given upon agricultural questions only 5 per cent. came under the operation of this Bill, and of that 5 per cent. there was a considerable number of yearly tenancies which would not be affected by the operation of this clause. Under those circumstances, he thought the right hon. Gentleman might have accepted the Amendment. At the same time, having regard to the attitude of the right hon. Gentleman, he should advise his noble friend to withdraw it.

*MR. MOULTON said he could not help feeling great relief when he heard that the Government were going to insist upon the clause. Upon the defence of the clause he did not intend to add a word to what had been already said. All he desired to do was to say a word as to the course the right hon. Gentleman proposed to follow. So far from his proposal being revolutionary, as some hon. Gentlemen had suggested, it was simply a continuation of a process which had been going on for centuries, by which the English law was shaking itself free from the odious task of enforcing penal clauses. Gradually all these penalties and forfeitures were being done away with, a great many of them by the Conveyancing Act of 1887, passed by Earl Cairns, who was too conservative ever to be revolutionary in the least degree. With respect to this clause being applied to existing contracts, of which the noble Lord seemed to be afraid, he desired to point out that in every step taken up to the present the change had been made to apply to existing contracts. It was so in Earl Cairns Act, and in this case they need have no fear in so doing.

COMMANDER BETHELL (Yorkshire, N.R., Holderness) thought it was rather

difficult for hon. Gentlemen who were now urging the passage of the Money-lending Bill through the House to complain of this principle being applied to existing contracts. He was not a very earnest advocate of the Money-lending Bill, but many of those who sat around him were anxious to see it passed into law, and he had not heard any of them express a regret that that was to apply to existing contracts. In the part of the country from which he came they did not know much of these penal rents, but he was inclined to think it was better not to interfere with existing contracts when it could be avoided, and if it were true that these penal clauses in agreements were so exceedingly rare that nobody knew very much about them, he thought the Amendment might have been accepted.

*SIR W. HART DYKE (Kent, Dartford) said the discussion showed that there was little need for harsh legislation, and he trusted the noble Lord would not press the matter to a division. It was the evil days through which agriculture had passed which had rendered such legislation unnecessary. But, as the right hon. Gentleman in charge of the Bill had pointed out, only 5 per cent. of the agricultural tenants would come under this Amendment, and the majority of those would not require to be dealt with. He knew of no landlord who would interfere with a good tenant, and he did not believe such a man existed; but he went further, and said if such a landlord did exist he ought to be relegated to the county asylum.

Amendment, by leave, withdrawn.

MR. LOPES (Grantham): In moving the Amendment which stands in my name, perhaps I may be allowed first of all to remind the House what took place in the Standing Committee on this question. On that occasion an Amendment was moved by the hon. Member for South Somerset which would have had the effect of increasing the limit of the law of distress from one to two years. That Amendment was withdrawn, and an Amendment was proposed by the Member for South Kensington similar to that which I now propose. My right hon. friend the Minister for Agriculture, speaking to the Amendment, said that he had a perfectly open mind upon the question, and that he would be prepared to accept the decision of the Committee. The Committee divided on the question, and there were fifteen who voted in favour of the retention of the clause and fourteen against. I can only hope that the small majority of one which my right hon. friend obtained on that occasion will not hermetically seal his mind with regard to the question, and that he will be prepared if possible to accept my Amendment, and, at any rate, I think it will be a justification for me in bringing the matter up. The Amendment I propose is obviously to amend the law as it at present exists under the Act of 1883. Prior to that the law of distress was a considerable bone of contention throughout the country. It was frequently discussed in the House, and a Select Committee was appointed in 1882. The result of that Committee was that Section 44 of the Act of 1883 was passed. Under that section the landlord's power regarding distress was limited to one year, but there was a proviso to this effect—that where in the ordinary course of dealing between the landlord and the tenant of a holding the rent of such holding had been allowed to be deferred until the expiration of a year or half of a year, the law would be that the rent of that holding should be deemed to have become due at the expiration of that quarter or half-year, as the case might be, and not the date at which it became legally due. It is easy to lose one's self in the intricate maze of Parliamentary phraseology, but I do not think there can be any doubt as to what the intention of the Legislature was at that time. It meant to safeguard the landlord's interest where it was the custom to allow three or six months grace to the tenant in the payment of his rent. That has been the practice ever since that Act was passed, and the present Bill proposes to do away with that compromise, for it was a compromise, which was arrived at by both parties in the State on that occasion, and if this clause becomes law it will only allow the landlord to distrain for one year's rent. I must say that it does not seem to me very difficult to understand why this clause has found its way into the Bill. It is impossible to say at the present time that the law of distress embodies any principle of injustice. It is used with the greatest toleration, the greatest forbearance, and the greatest discretion by landlords and their

agents, and although it may be said that it is very seldom made use of, to admit that is not to admit that it is either useless or unnecessary, because, while at the same time it allows a landlord to give the greatest possible latitude and the greatest credit to a good tenant, it also enables him to deal with a tenant who cannot be so described. I would say at once that I do not consider this to be at all a landlords' question. It is simply and entirely a tenants' question, and it is as such that I venture to press it upon the attention of the House. The exercise of the law of distress at the present time, when it is exercised at all, is chiefly in the direction of giving relief to the tenant, and I venture to say that a large body of tenants throughout the country would be dismayed at any limitation of the landlord's power of distress, because such limitation would mean that it would limit the landlord's readiness to give them credit at the time when they require it. Although it may be said that if you diminish the law of distraint you will increase the power of the tenant to get credit from tradesmen, my answer to that is that the law of competition itself will enable him to get reasonable and fair latitude in this direction from tradespeople, and it is far better for him to borrow money from his landlord than to apply to a bank or any other source whatsoever. I believe that, so far from simplifying the relations between landlord and tenant, the effect of this limitation would be to promote discord between the two parties. It would tend to create an unnecessary revolution in the arrangement that at present exists between them which would be prejudicial to both of the parties concerned. I do not want to weary the House by giving very many instances of what might arise if this clause was passed as it now stands, but I should like to point out three cases at least in which it would inflict very serious injury upon the tenant. Let me take the instance of a farmer who pays £100 a year in rent to his landlord by half-yearly payments—in December for the Michaelmas rent and in June for the Lady Day rent. Supposing that, at the June collection for Lady Day, he is £75 in arrear with his rent, it is obviously impossible that the landlord could allow the tenant to go on another six months if this clause was passed, because then he would have exhausted the limit under which he would be allowed to recover, and, therefore, to obviate such a risk as this it would be necessary to make the rent audit close up to the term day. This in many parts of the country would have a disastrous result on the tenants themselves, because rents are collected at such times as to permit the tenants to have the opportunity of attending the local fairs which are held in their neighbourhood. To make any alteration in the arrangements for the payment of their rents would, therefore, have a most injurious effect upon them. Then, upon every property there are instances of tenant farmers who have been occupying their farms for upwards of thirty or forty years on what are known as yearly tenancies. It has been the custom with them——

MR. LONG signified to the hon. Member that he would accept the Amendment.

MR. LOPES: I am told that my right hon. friend is prepared to accept the Amendment, and that being so, I shall not continue my remarks.

Amendment proposed—

"In page 4, line 11, to leave out Clause 7." —(*Mr. Lopes.*)

Question proposed, "That the words of the clause to the word 'more,' in line 12, stand part of the Bill."

*MR. LONG: I should like to tell the House why I propose to accept this Amendment. My hon. friend has asked why it is that the Government should put this Amendment in the Bill. The question of the law of distress is a complicated and difficult one. I have no doubt my hon. friend's interpretation of the Act of 1883 is correct, but it certainly was understood at that time that the power of the landlord to recover under the law of distress was to be limited to a year's rent. When it was discovered that a year's rent meant in reality practically eighteen months rent, it was still held that that was intended by the Act of Parliament to mean a year's rent, and that the landlord was entitled to recover for that period. There have been several suggestions made on the subject. The Royal Commission recommended that it should be limited to a year, and therefore the Government thought it right to put this clause in the Bill, but since doing so we

have received representations from many quarters, and many of them from hon. Members sitting on the other side of the House, pointing out to us that the effect of this change in the law would be distinctly injurious to the tenants themselves, especially in cases where the properties are held not by single individuals in their own right, but where they are held by trustees on behalf of charities, colleges, and other institutions. It was stated that the result of any such change in the law would be distinctly injurious to the tenant farmers. My hon. friend opposite who represents one of the Divisions of Somerset proposed in the Grand Committee upstairs not that the law should remain as it is, but that the period should be definitely extended to two years. As my hon. friend the Member for Grantham has pointed out, the cutting out of this clause was only defeated by a majority of one. I voted for the retention of the clause, but I left it entirely to the Committee to decide it as they liked. Since then I have been assured in many quarters that the retention of this clause would be injurious to the tenants, and that being so, I advise the House to accept the Amendment my hon. friend has moved for the dropping of this clause out of the Bill.

Question put, and negatived.

Remaining words of the clause omitted.

MR. JEFFREYS (Hampshire, N.) said the Amendment he desired to move dealt with Clause 8, and its effect was to make Section 28 of Part III. of the Schedule retrospective.

*MR. LONG rose to a point of order. Clause 8, to which the Amendment was addressed, dealt only with the method by which compensation was to be obtained. He submitted the Amendment should properly come on the schedule itself.

*MR. SPEAKER ruled that the Amendment was in order and in its proper place

MR. JEFFREYS said the point was that compensation was given in the schedule for temporary pasture, and the farmer would like that to be retrospective. That was the only question he desired to raise, and for that purpose he moved the Amendment.

Amendment proposed—

"In page 4, line 20, after the word 'Act,' to insert the words 'provided that, in the case of an improvement such as is described in paragraph twenty-eight in Part III. of the First Schedule to this Act, where any such improvement has been carried out within three years before the determination of the tenancy, compensation may be claimed and obtained under the provisions of this Act.'"—(*Mr. Jeffreys.*)

Question proposed, "That those words be there inserted."

*MR. LONG hoped the Amendment would not be pressed. There was not an argument in support of making the Bill retrospective in regard to this particular point which could not with equal force be advanced in regard to many other improvements. There was really not much importance to be attached to the inclusion of temporary seeds. As a matter of practice, the farmer who laid down pasture did so knowing, in the first place, that as the law stood he had no right to compensation, and, in the second place, that if he quitted while that temporary pasture was in it would be to the advantage of the owner of the land to take it over rather than to allow the farmer to break it up, as he would have full right to do if the owner would not take it over. Therefore the point was not so great as it at first sight might appear. It would not be fair or wise to make an exception in any particular instance; if the measure was made retrospective at all it ought to be made generally retrospective, and that the Government could not agree to.

Amendment, by leave, withdrawn.

Another Amendment made.

MR. BUCHANAN (Aberdeenshire, E.) said that in putting down the motion to omit Clause 10, he desired to call attention to a matter which had been brought up on several occasions—namely, the position in which Scottish agriculturists were placed by the way in which this measure applied to them. This was a totally new departure. Hitherto, in regard to this important subject, Scotland had had its own system of legislation perfectly separate from the English system, and it was desired that in the future they should proceed upon the same lines as in the past, having separate legislation on this subject, so that Scottish agricul-

ture could continue to develop on the lines which had led to such marked progress since the beginning of the century. He did not say that the Scottish legislation should not be on the same lines as the English. The progress of agriculture must necessarily move very largely upon the same principles and the same lines in both countries. But as a matter of good administration and good legislation, the Government, in this Bill, and particularly in the clause under discussion, were taking a retrograde step. Instead of making legislation easier and simpler for the ordinary person to understand, and for the Scottish tenant and landlord to have their grievances remedied and their differences settled, it became more difficult and expensive, because, in addition to their own Acts, this Bill under discussion would come in, and that had to be interpreted by means not only of Scottish Acts but also of English Acts. By this measure the Government were taking a retrograde step both as regards legislation and administration, and for that reason he moved the omission of Clause 10.

Amendment proposed—

"In page 4, line 26, to leave out Clause 10." —(*Mr. Buchanan.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

*Mr. LONG said he was not overwhelmed by the charge which had frequently been made in the course of the debates that the action of the Government was either retrograde or injurious to the best interests of agriculture. Nobody admired more than those on this side of the Border the energetic and enlightened manner in which Scottish agriculturists had carried on their business; but at the same time there was a place called England in which were a large number of competent agriculturists who could hold their own in competition even with Scotchmen. The views expressed by the hon. Member were entirely at variance with the views held by those who had some claim to represent Scottish agriculture—by such a body, for instance, as the Scottish Chamber of Agriculture. That body was probably quite as much entitled to consideration on this question as the hon. Member, and he (the speaker) was justified in putting their views forward in answer to those of the hon. Member. The Scottish Chamber of Agriculture had petitioned Parliament in favour of the Bill; they had held a meeting at which they welcomed the Bill as one of much importance, containing provisions calculated to give more effective force to the compensation principle; and oddly enough, the provision empowering the Board of Agriculture to appoint an arbitrator, which had been condemned by the hon. Member, was one of the parts of the Bill to which they attached special importance. It therefore did not look as if that body shared the rather peculiar views of the hon. Gentleman in regard to the Board of Agriculture. It was not desirable or necessary to debate on this Amendment the whole question of whether or not the Bill should apply to Scotland. The object of the Government was so far as necessary to amend the law as applied to both countries, and gradually to consolidate the whole of the agricultural laws into one Act, so that it would be easy for anyone, whether in England, Scotland, or Wales, to ascertain what the law was and how it stood.

Question put.

The House divided:—Ayes, 222; Noes, 105. (Division List No. 212.)

AYES.

Acland-Hood, Capt. Sir Alex. F.	Bethell, Commander	Butcher, John George
Allsopp, Hon. George	Bigwood, James	Campbell, Rt. Hn. J. A. (Glas'w)
Anson, Sir William Reynell	Bill, Charles	Carlile, William Walter
Arrol, Sir William	Blundell, Colonel Henry	Carson, Rt. Hon. Sir Edw. H.
Atkinson, Rt. Hon. John	Boscawen, Arthur Griffith-	Cavendish, R. F. (N. Lancs.)
Bailey, James (Walworth)	Boulnois, Edmund	Cavendish, V. C. W. (Derbysh.)
Baird, John George Alexander	Bousfield, William Robert	Cayzer, Sir Charles William
Balfour, Rt. Hon. A. J. (Man.)	Bowles, Capt. H. F. (Middlesex)	Cecil, Evelyn (Hertford, East)
Balfour, Rt Hn Gerald W. (Leeds	Bowles, T. G. (King's Lynn)	Cecil, Lord Hugh (Greenwich)
Banbury, Frederick George	Brassey, Albert	Chamberlain, Rt. Hon. J. (Birm
Beach, Rt. Hn. Sir M. H. (Bristol	Brodrick, Rt. Hon. St. John	Chamberlain, J Austen (Worc'r
Beaumont, Wentworth C. B.	Bullard, Sir Henry	Chaplin, Rt. Hon. Henry
Beckett, Ernest William	Burt, Thomas	Charrington, Spencer

Mr. Buchanan.

Chelsea, Viscount
Coddington, Sir William
Coghill, Douglas Harry
Cohen, Benjamin Louis
Collings, Rt. Hon. Jesse
Colomb, Sir John Chas. Ready
Colston, Chas. Edw. H. Athole
Cooke, C. W. Radcliffe (Heref'd)
Corbett, A. Cameron (Glasg'w)
Cornwallis, Fiennes Stanley W.
Cox, Irwin Edward Bainbridge
Cripps, Charles Alfred
Cross, Alexander (Glasgow)
Cross, Herbert S. (Bolton)
Cruddas, William Donaldson
Dalkeith, Earl of
Dalrymple, Sir Charles
Davies, Sir Horatio D (Chatham
Dickinson, Robert Edmond
Dorington, Sir John Edward
Douglas, Rt. Hon. A. Akers-
Doxford, Sir William T.
Dyke, Rt. Hn. Sir Wm. Hart
Elliot, Hn. A. Ralph Douglas
Faber, George Denison
Fardell, Sir T. George
Fellowes, Hon. Ailwyn Edw.
Fergusson, Rt. Hn. Sir J. (Man.)
Finch, George H.
Finlay, Sir Robert Bannatyne
Fisher, William Hayes
FitzGerald, Sir R. Penrose-
Fitz Wygram, General Sir F.
Flannery, Sir Fortescue
Flower, Ernest
Forster, Henry William
Foster, Harry S. (Suffolk)
Fry, Lewis
Galloway, William Johnson
Garfit, William
Gedge, Sydney
Gibbons, J. Lloyd
Gibbs, Hn. A. G. H. (C. of Lond.)
Gibbs, Hon. V. (St. Albans)
Giles, Charles Tyrrell
Gilliat, John Saunders
Godson, Sir Augustus Freder'k
Goldsworthy, Major-General
Gordon, Hon. John Edward
Gorst, Rt. Hon. Sir John E.
Goschen, George J. (Sussex)
Goulding, Edward Alfred
Graham, Henry Robert
Gray, Ernest (West Ham)
Green, W. D. (Wednesbury)
Greene, Henry D. (Shrewsbury
Gull, Sir Cameron
Gunter, Colonel
Haldane, Richard Burdon
Hamilton, Rt. Hn. Lord George
Hanbury, Rt. Hon. Robert W.
Hanson, Sir Reginald
Heaton, John Henniker
Hedderwick, Thos. Charles H.
Helder, Augustus
Henderson, Alexander
Hoare, E. Brodie (Hampstead)
Hoare, Sir Samuel (Norwich)
Houston, R. P.
Howard, Joseph
Howell, William Tudor
Howorth, Sir Henry Hoyle
Hozier, Hon. James Henry Cecil
Jackson, Rt. Hon. Wm. Lawies
Jebb, Sir Richard Claverhouse
Jeffreys, Arthur Frederick
Johnstone, Heywood (Sussex)
Kennaway, Rt. Hn. Sir John H.
Kenyon-Slaney, Col. William
King, Sir Henry Seymour
Knowles, Lees
Lawrence, Sir E. Durning-(Corn
Lawson, John Grant (Yorks.)
Lecky, Rt. Hn. William Ed. H.
Leighton, Stanley
Llewelyn, Sir Dillwyn-(Sw'nsea
Loder, Gerald Walter Erskine
Long, Col. Chas. W. (Evesham
Long, Rt. Hn. Walter (Liverp'l)
Lonsdale, John Brownlee
Lopes, Henry Yarde Buller
Lowe, Francis William
Lowles, John
Lowther, Rt. Hon. J. (Kent)
Lloyd, Archie Kirkman
Lucas-Shadwell, William
Maclean, James Mackenzie
M'Arthur, Charles (Liverpool)
M'Iver, Sir L. (Edinburgh, W.)
M'Killop, James
Malcolm, Ian
Maple, Sir John Blundell
Mellor, Colonel (Lancashire)
Mellor, Rt. Hon. J. W. (Yorks.
Melville, Beresford Valentine
Meysey-Thompson, Sir H. M.
Middlemore, J. Throgmorton
Milbank, Sir Powlett C. John
Monk, Charles James
Moon, Edward Robert Pacy
More, R. J. (Shropshire)
Morgan, Hn. F. (Monm'thsh.)
Morrell, George Herbert
Morrison, Walter
Morton, A. H. A. (Deptford)
Mount, William George
Mowbray, Sir Robert Gray C.
Murray, Rt Hn. A Graham (Bute
Murray, Col. Wyndham (Bath
Myers, William Henry
Newdigate, Francis Alexander
Nicholson, William Graham
Paulton, James Mellor
Pease, Alfred E. (Cleveland)
Pease, H. Pike (Darlington)
Peel, Hon. W. R. Wellesley
Percy, Earl
Perks, Robert William
Pilkington, R. (Lancs Newton)
Pilkington, Sir G. A. (Lancs S. W
Platt-Higgins, Frederick
Pretyman, Ernest George
Pryce-Jones, Lt.-Col. Edward
Purvis, Robert
Rankin, Sir James
Ridley, Rt. Hon. Sir M. W.
Ritchie, Rt. Hon. Chas Thomson
Robertson, Herbert (Hackney
Rothschild, Hon. Lionel W.
Round, James
Russell, Gen. F. S. (Cheltenham
Samuel, Harry S. (Limehouse)
Savory, Sir Joseph
Scoble, Sir Andrew Richard
Seely, Charles Hilton
Sharpe, William Edward T.
Shaw-Stewart, M. H. (Renfrew
Simeon, Sir Barrington
Smith, J. Parker (Lanarks.)
Smith, Hon. W. F. D. (Strand)
Spencer, Ernest
Stanley, Hn. Arthur (Ormskirk
Stanley, Ed Jas. (Somerset)
Stanley, Sir Henry M (Lambeth
Stewart, Sir M. J. M'Taggart
Stone, Sir Benjamin
Strauss, Arthur
Strutt, Hon. Charles Hedley
Sturt, Hon. Humphry Napier
Sutherland, Sir Thomas
Talbot, Rt. Hn. J. G. (Oxf'd Un.
Tennant, Harold John
Thornton, Percy M.
Tollemache, Henry James
Tritton, Charles Ernest
Vincent, Sir Edgar (Exeter)
Wallace, Robert
Warr, Augustus Frederick
Welby, Lt.-Col. A. C. E. (Taunt.
Welby, Sir Charles G. E. (Notts)
Whiteley, H. (Ashton-under-L.
Whitmore, Charles Algernon
Williams, Colonel R. (Dorset)
Williams, J. Powell- (Birm.)
Willox, Sir John Archibald
Wilson, John (Falkirk)
Wilson-Todd, Wm. H. (Yorks
Wodehouse, Rt. Hn. E. R. (Bath
Wortley, Rt. Hon. C. B. Stuart-
Wylie, Alexander
Wyndham, George
Wyvill, Marmaduke D'Arcy
Young, Commander (Berks, E.)

TELLERS FOR THE AYES—
Sir William Walrond and
Mr. Anstruther.

NOES.

Abraham, Wm. (Cork. N.E.
Allan, William (Gateshead)
Allison, Robert Andrew
Ashton, Thomas Gair
Atherley-Jones, L.
Austin, M. (Limerick, W.)
Bainbridge, Emerson
Barlow, John Emmott
Bayley, Thomas (Derbyshire)
Billson, Alfred
Bramsdon, Thomas Arthur
Caldwell, James
Cameron, Sir Charles (Glasgow
Cameron, Robert (Durham)
Carvill, Patrick George H.
Cawley, Frederick
Clark, Dr. G. B.
Colville, John
Crombie, John William
Curran, Thomas (Sligo, S.)
Dalziel, James Henry
Dilke, Rt. Hn. Sir Charles
Dillon, John
Donelan, Captain A.
Doogan, P. C.
Dunn, Sir William
Emmot, Alfred

Engledew, Charles John
Evans, Samuel T. (Glamorgan)
Evans, Sir Francis H. (South'ton
Fenwick, Charles
Flavin, Michael Joseph
Flynn, James Christopher
Fox, Dr. Joseph Francis
Goddard, Daniel Ford
Gurdon, Sir William Brampton
Harwood, George
Hemphill, Rt. Hon. Charles H.
Horniman, Frederick John
Humphreys-Owen, Arthur C.
Hutton, Alfred E. (Morley)
Jacoby, James Alfred
Johnson-Ferguson, Jabez E.
Jones, David Brynm. (Swansea
Jones, William (Carnarvonsh.
Kearley, Hudson E.
Lewis, John Herbert
Lough, Thomas
Luttrell, Hugh Fownes
Macaleese, Daniel
MacNeill, John Gordon Swift
M'Dermott, Patrick
M'Ewan, William
M'Ghee, Richard
M'Laren, Charles Benjamin
Maddison, Fred.
Mappin, Sir Frederick T.
Mather, William
Mendl, Sigismund Ferdinand
Molloy, Bernard Charles
Morgan, J. Lloyd (Carmarthen
Morgan, W. Pritchard (M'rthyr
Norton, Capt. Cecil William
Nussey, Thomas Willans
O'Brien, Patrick (Kilkenny)
O'Connor, Arthur (Donegal)
O'Connor, James (Wicklow, W.
O'Connor, T. P. (Liverpool)
Oldroyd, Mark
O'Malley, William
Philipps, John Wynford
Pickard, Benjamin
Pickersgill, Edward Hare
Power, Patrick Joseph
Price, Robert John
Provand, Andrew Dryburgh
Reckitt, Harold James
Reid, Sir Robert Threshie
Richardson, J. (Durham, S.E.)
Samuel, J. (Stockton-on-Tees)
Shaw, Charles Edw. (Stafford)
Soames, Arthur Wellesley
Souttar, Robinson
Stanhope, Hon. Philip J.
Steadman, William Charles
Stevenson, Francis S.
Strachey, Edward
Sullivan, Donal (Westmeath)
Thomas, Abel (Carmarth'n., E.)
Thomas, Alfred (Glamorgan, E.
Thomas, David Alfred (Merthyr
Trevelyan, Charles Philips
Walton, John Lawson (Leeds, S.
Walton, Joseph (Barnsley)
Warner, Thomas Courtenay T.
Wason, Eugene
Weir, James Galloway
Whiteley, George (Stockport)
Wills, Sir William Henry
Wilson, Charles Henry (Hull)
Wilson, Henry J. (York, W.R.)
Wilson, John (Durham, Mid)
Wilson, John (Govan)
Woods, Samuel
Young, Samuel (Cavan, East)
Yoxall, James Henry

TELLERS FOR THE NOES—Mr. Buchanan and Sir William Wedderburn.

*MR. SPEAKER: The House having just affirmed the machinery for applying the Act to Scotland, the next Amendment, standing in the name of the hon. Member for East Aberdeenshire, providing that the clause shall not apply to Scotland, is out of order.

SIR WILLIAM WEDDERBURN (Banffshire): The Amendment which stands in my name is to encourage the construction of cottages for agricultural labourers. In the district which it is my privilege to represent there is a very great want of accommodation for agricultural labourers; in fact, it has become a social scandal that there is no proper accommodation for them. I think the Member for East Aberdeenshire brought before the House a number of cases of very great hardship which had happened in both his constituency and mine, where the sanitary inspector, having visited the cottages of agricultural labourers, finds that they must be condemned on sanitary grounds. But the sanitary inspectors are in a great difficulty, because the cottages, if condemned, would probably be pulled down, and no others put in their place, in which case the position of the labourers would be worse than before. This is not only a very great scandal, but a very serious obstacle to good farming throughout the district. The labourers very often have to walk many miles to get to their work. It must also be remembered that an agricultural labourer cannot be made in a day, for he must serve his apprenticeship, and these hardy crofters make the very best material for agricultural labourers. In the Report of the Royal Commission on Agriculture various reasons were given why farmers are not able to contend with farmers abroad, and one of the principal was because of the increased cost of production, and because they could not get good labour. Farmers are perfectly willing to pay for good labour, but they cannot get it, one of the chief reasons being that there is no adequate accommodation for labourers. What I therefore propose is that cottages for agricultural labourers should be taken out of Part I. of the schedule of improvements which require the consent of the landlord, and put into Part II., in which the farmer is only required to give notice. It must be remembered that a great many of these farmers have leases for twenty-one years, and it is perfectly certain that no farmer would spend money in building cottages unless they were absolutely necessary for the conduct of his farm. We have been told by the right hon. Gentleman and others that the farmers are very capable of knowing their true interests, and I do not see how their true interests in this matter differ from the true interests of the landlords.

Amendment proposed—

"In page 6 (First Schedule), line 5, after the word 'buildings,' to insert the words 'except cottages for agricultural labourers.'" — (*Sir William Wedderburn.*)

Question proposed, "That those words be there inserted."

*MR. LONG: I can hardly imagine that the hon. Member will insist on this Amendment, because I am convinced it is not in the least desired. The first great demand—probably a stronger and greater demand than any other—which the labourers make is that that they should hold their cottages independent of farmers and direct from the landlords, and that their cottages should not be part and parcel of the farms on which they are engaged. I should like to ask the hon. Gentleman how he proposes to carry out the Amendment. Supposing a labourer does not desire to live in a cottage on the farm, is the farmer to bear the cost of that cottage, which no one will occupy, and is the landlord to be compelled to buy it without having been consulted in the first instance as to the number of rooms, the site and whether it was wanted or not. From the point of view of the landlord and the labourer, I cannot conceive that there would be any advantage in this proposal. As for the farmer I think it will be found that he is not inclined to lay out capital when he can only expect a return of 1½ per cent. at the utmost. I hope, therefore, that the hon. Member will not persist in the Amendment.

MR. BUCHANAN: With regard to the argument on behalf of the landlord, surely if the cottages which a tenant puts up do not add to the letting value of the farm, then there would be no claim for compensation. The right hon. Gentleman says that they may be useless cottages and not wanted, but in that case he tenant would not be entitled to compensation. The substance of the Amendment of my hon. friend is to provide for the cottage accommodation which experience has shown exists in many parts of Scotland. Very often in Scotland, especially where the tenants are a more enterprising body of men than the landlords, they are quite willing to put capital into the development of their farms, and one way of developing a farm is to provide accommodation for labourers. My hon. friend in his Amendment wishes to remove a restriction on enterprising tenants who desire to improve their farms in that way.

Question put, and negatived.

*EARL PERCY: I beg to move the Amendment standing in my name, and will do so very briefly, as I have already stated my views on the subject. This Bill for the first time proposes to allow a tenant to make gardens, orchards, and osier beds not exceeding three acres in all without the consent of the landlord. I propose to leave out the words "exceeding one acre" in order to bring the law back to the state in which it now exists. The principle of the Act of 1883 was that improvements for which the tenant might gain compensation without the consent of the landlord were to be strictly limited to those absolutely necessary for the cultivation of the soil. The tenant has entered into a legal obligation to farm the soil to the best of his ability, and he can only do so if allowed a certain amount of latitude in the selection of appliances which his experience tells him are best fitted for the capacity of the soil. But in this Bill the principle is adopted that a tenant is to be allowed to convert an agricultural holding to other purposes, and in that manner to try experiments. You are introducing a principle which is wholly indefensible and which lends itself to indefinite extension. The tenant has entered on the holding with full knowledge of its character and the conditions attaching to its cultivation. If he does not like that character and those conditions he is at perfect liberty to go elsewhere. It might be said that this is a small point. Of course, it is a small point in itself. It may also be said that in one or two parts of the country we may have cantankerous landlords, who will refuse to allow a small indulgence to their tenants, and that it is therefore the duty of the Legislature to step in and remove that hardship. It is these hard cases which, in my opinion, make bad law. I do not see why you should stop short at legislation which would deprive the landlord of all control over his land once he has leased it to a tenant. It may be said that three acres are a very small slice

out of an ordinary farm, but the right hon. Gentleman must remember that many of the farms dealt with under this Bill are farms of five, ten, fifteen, or twenty acres, and three acres is a considerable slice in such cases. It is a monstrous thing that we should allow tenants who have only a temporary interest in a holding to convert it from an agricultural holding to purposes for which the soil may be absolutely unfitted, and for the produce of which there might be no local sale, and then to come to the landlord and ask for compensation. What would be thought if we were to apply this principle to the ordinary practice of letting houses? What would be said if the right hon. Gentleman were to let his house to me at an ordinary rent and I were to convert his drawing-room into a gymnasium and his dining-room into a theatre, and then ask him for compensation on the ground that the theatrical entertainments had added to the value of the house. That is precisely an analogous case. If you allow these tenants to make these gardens and osier beds why confine them to one acre; why place any restriction upon them at all? Personally, I think the whole proposal is ludicrous and unnecessary. If the gardens are likely to increase the value of the holding, then clearly the landlord, who has not merely a temporary interest in the land, will give facilities to the tenant to make them. The proposal in the Bill is therefore unnecessary. If you are going to introduce this principle where are you going to stop. It is practically certain that when you propose to confine this new licence to tenants to one acre the party opposite will certainly propose to extend it still further when they come into power. I must point out to the right hon. Gentleman that it is not contended that there is any great demand for this proposal. It is admitted it has been framed to meet possible or casual cases of hardship; it would bring no popularity to this side of the House, and it has nothing to do with the simplification of procedure which is the main object of the Bill. I hope the right hon. Gentleman will think twice before he introduces a principle into the Bill which in future will enable the party opposite to claim an acceptance of a development of that principle for which the right hon. Gentleman or any of his colleagues would not have any sympathy at all.

Earl Percy.

Amendment proposed—

"In page 6, line 8, to leave out the words 'exceeding one acre.'"—(*Earl Percy.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

*MR. LONG: It is useless to deny that the proposal to give this power to the tenants is a limitation in some degree of the principle that has been more than once laid down—namely, that the right should be preserved to the landlord to deal with any ultimate change in the character of a farm as he thinks best. What my noble friend has said is undoubtedly true, but I am bound to say, when he expresses inability to draw a distinction between one acre and ten acres, I am doubtful whether he has not studied more carefully the logical aspect of these cases rather than their practical aspects. I can assure my noble friend that farmers fully realise why a distinction is drawn at one acre. Logically, from my noble friend's point of view, the limitation may be a very improper one, but from the general point of view, it is a very proper and sensible proceeding. It is the limitation in Part I. that leads to the absence of limitation in Part II. of the schedule. My noble friend moves to omit these words in order to follow up his Amendment by moving to omit other words in the next part of the schedule. Therefore it is necessary that I should point out to the House that the power which it is proposed that the tenants should acquire under Part II. is limited in this way. If the tenant desires to do this work, he must give notice to his landlord, and if the landlord desires to do the work himself, he has not only the right to do it, but has statutory power to charge the tenant 5 per cent. That is a great protection to the landlords. I entirely agree with my noble friend that this is a very small matter indeed, and that there is not a very great demand for it. So far as I am aware, no great interest is taken in it by landlords or tenants outside the House of Commons. It has been recommended by the Central Chamber of Agriculture and also by the Royal Commission. Supported as it is by these two recommendations, I do not think it can be regarded as a dangerous power to confer on the tenants. I cannot help hoping that the House will

retain these powers, because they will be useful to farmers who desire to exercise them, and I do not think there will be any danger in giving them.

Mr. JAMES LOWTHER (Kent, Thanet): The question we have to consider is whether a tenant farmer to whom land is let for the purpose of cultivation should be allowed to take a considerable portion of the holding and apply it to purposes not contemplated when his agreement was entered into, and which I think it is impossible to argue would be in the interests of good farming. Can my right hon. friend say that agriculture will be improved or the tenant's position amended by speculations of this kind? It is absolutely a new business—business which I undertake to say tenant farmers know nothing about, and in my opinion it would be a very foolish thing for them to embark on it. I do not know whether my right hon. friend can tell me of any case in which a farmer has done well by dabbling in such speculations. I think the principle we are now asked to establish is most mischievous and undesirable. As regards the general subject, my right hon. friend has not noticed my noble friend's strongest point—namely, that the relative proportion of these experiments to the area of the holding is not defined. I can imagine anyone saying that three acres would be a mere nothing on a farm of 1,000 acres; but how about small farms? Three acres would be, relatively speaking, a large portion of a small holding, and it is a very strong proposal to divert it from the purpose for which the land was let. An acre of land is a great deal to till as a garden. Of course if a tenant intends to go in for market gardening he ought to apply to the landlord as a market gardening tenant. As for orchards, I have some slight experience of them, and I can only say it is a very wearisome thing to have to wait until the trees grow. I say we are doing an ill turn to the tenant farmers by inviting them to embark upon speculative enterprises of this kind. I do hope, especially, that my right hon. friend will not commit himself to the osier beds. He will see that there is a vital distinction between a farmer wanting a few rows of potatoes or a small quantity of fruit for home consumption and the planting of osier beds. He should remember that osier beds, unless protected by fences, would be of serious injury to the farm. Perhaps a portion of a field may be unduly moist, and the farmer, instead of taking any trouble to relieve it of its waterlogged condition, would decide under the Act of Parliament to plant osiers. He would get over the trouble of making the land drier, and could also claim compensation. That would be most mischievous. Has my right hon. friend contemplated what the estimated cost would be of planting an acre of osiers and fencing the same? I think it would be found that quarrels would arise in the exercise of this power, and as to whether osier beds would add to the letting value of the holding, that would be a moot point. It cannot be seriously considered that the planting of these beds is likely to benefit the tenant farmers of England, and I hope my noble friend will take the sense of the House on the proposal.

Mr. JEFFREYS could not see that the planting of an orchard could injure a farm. As a matter of fact, if it did not turn out a success the only man who would be injured was the man who had taken the risk. It was absurd to say that a farmer could not even plant an acre of fruit trees without getting the consent of the landlord. It should be remembered that this was only in the second schedule, and the tenant could not do the planting without giving notice to the landlord, when the landlord might prevent him from carrying out the alteration. This modest proposal was made by the Royal Commission, and he thought it would be very wrong not to pass it. He lived in a dry country, and did not know much about osier beds, but if a farmer planted osier beds on soil which was not suitable or damp enough, and they turned out a failure, he would get no compensation.

*Captain PRETYMAN (Suffolk, Woodbridge) hoped his noble friend would press his Amendment to a division; for, after all, there was an important principle at stake—namely, the alteration of the permanent character of a holding without the consent of the landlord. His hon. friend said that drainage was more important than this particular class of improvement; but the question was, did the improvement alter the character of the holding? Now, draining did not alter the character of the

holding, and, what was of more importance, it was beyond dispute a class of improvement which would be of equal use to the succeeding as to the present tenant. On the other hand, if osiers were planted it would probably be done by a man who was a basket maker. But the successor might not be a basket maker, and could not make use of the osiers, and he would go to the wall. But there was another important point, the landlord might be an extremely poor man himself. In the case of large farms, cultivated by large tenants, an acre taken up for an orchard or an osiery would not be a matter of great importance. But in the case of a small holding a comparatively large sum of money might be spent in laying out two acres of land as a fruit garden and an osiery. These might not be of any great value to the succeeding tenant, and payment of compensation for them might be a very large charge on a small owner. Why should a great principle be departed from, and the small owner be subjected to what might be a very great risk for a thing his tenant did not particularly want? The right hon. Gentleman the President of the Board of Agriculture had conducted the Bill with such moderation that he felt very loth to ask his noble friend to divide, but he hoped he would divide, as the point was a most important one. When he looked at the schedules it occurred to him that this proposal had been inserted into Part II., because it looked so very meagre when it only contained the item "drainage," but he would remind his right hon. friend if he thought the second part too thin, that a bit of good thin ham was preferable to a bit of thick bad bacon in a sandwich. He hoped that the question at issue would not be made, on division, a Government question.

MR. WALLACE (Perth) thought the hon. Member who had just spoken must have forgotten the very terms of the Bill which he had criticised. He took as an illustration a tenant who planted an osier bed which would be of no use to the succeeding tenant, and yet the landlord would have to pay compensation for the bed, on the determination of the tenancy. Now, the express words of the compensation section were that where a tenant had made an improvement on his holding he was to be entitled—

> "At the determination of the tenancy, on quitting his holding, to obtain from the landlord as compensation under the said Acts for the improvement, such sum as fairly represents the value of the improvement to an incoming tenant."

Therefore, if the improvement was of no value to the incoming tenant there was no compensation. His object in rising was to make a most earnest appeal to the right hon. Gentleman to stand by this clause as it was. After all, this schedule was something of a compromise, for Amendments had been moved from both sides suggesting to leave out and to add to. He intended to support the Government, not because the Bill was all that he wished it to be, but because it was the best possible that they could get. If the right hon. Gentleman stood by this schedule he would very soon get the Bill through.

MR. VICARY GIBBS (Hertfordshire, St. Albans) said one of the objections he had to the Bill was that it would embark the landlord in investments of a speculative character. It was bad to allow a man to obtain a temporary hold on property on one representation, and then to deal with it afterwards differently from that representation. Take an illustration. A private house was let to a man who spent a great deal of money in converting it into a theatre, from which he made a large profit. At the determination of the lease was the landlord to pay compensation, although the theatre was of no value to the new tenant? That was exactly the case with either fruit trees or osiers, the market for which was limited. His hon. friend the Member for North Hants spoke as if it were an immense advantage that notice had to be given to the landlord; but he could see none. A man was asked to spend money on the principle of "heads I win, tails you lose." For instance, a man incurred heavy expenditure on fruit trees, and before they became mature he came upon the landlord for compensation for those trees, which might be perfectly healthy and strong, but which were of no good, because the local market had either ceased to exist or was dying; and on the landlord would fall the loss of that speculation. He could not approve of the line taken by the right hon. the President of the Board

of Agriculture. He understood him to say that he was not afraid of the extension of the principle of the measure. Personally, he was afraid of it; but whether right or wrong, he objected to a principle which could not be logically extended in practice. The right hon. Gentleman had given no explanation of how the extension of the principle could be logically opposed, and it might be that in the fulness of time, when the right hon. Gentleman crossed the floor of the House he would be found saying that what was perfectly right now would be perfectly wrong then. He opposed the whole thing *ab initio*. A man to whom property was handed over by a landlord temporarily and for a specific purpose had no right to use that property for another purpose without the landlord's consent. If it were in the public interest that orchards and osieries should be made without the consent of the landlord, there should be no limitation to an acre. The man should be entitled to turn the whole holding into a fruit garden or osiery. It was ludicrous to make a limitation. The truth was that the right hon. Gentleman, in his general desire to meet certain views, had fallen into an error of principle, capable of immense extension. While the thing was yet small it could be stopped, and he begged the right hon. Gentleman to listen to those on his own side of the House and withdraw a proposal containing what was a most mischievous principle.

*MR. PERKS (Lincolnshire, Louth) said he represented a large agricultural constituency twelve hundred square miles in extent. Many of the tenant farmers in Lincolnshire had asked for the assistance of the Legislature to protect them from the unreasonable and unrestricted conditions imposed on them by the landlords who refused to give full freedom to tenants in carrying on their business. It was contended in the course of this debate that the land was the property of the landlords to do what they like with. But he ventured to suggest that there was a co-partnership in the products of the property between the landlord and the tenant. The farmer provided the intelligence, the capital, and the labour, and the landlord supplied the land. He trusted the Government were going to maintain this clause, which would certainly give to the tenant, though on a small scale, a latitude he ought to have, and which had not hitherto been his. In one part of Lincolnshire stiff clay land had been largely used for growing roots, but it was ultimately used with great profit to both landlord and tenant for trenching and growing celery. For many years, however, the same arguments used to-day had been employed to prevent the tenants cultivating celery instead of roots; but the landlords had at last come to see that it was for their mutual interest to give the tenants liberty in that particular direction. What was true of celery was true of osiers, fruit gardens, and orchards. Surely a tenant, who was a man of intelligence, and who had to watch the outgoing of every penny, would not spend money in the conversion of an acre of his farm into an osier bed or a fruit garden without an intelligent forecast of a return for the outlay of his money. If the garden or osier beds were of no value to the incoming tenant there would be nothing for the landlord to pay. The clause was a very moderate concession to farmers, who ought to be encouraged rather than obstructed in making experiments on small portions of their holdings; and he hoped the Government would adhere to it.

MR. HARDY (Kent, Ashford) hoped the right hon. Gentleman might yet see his way to accept his Amendment in regard to osier beds, which stood on a different ground entirely from orchards or fruit gardens. He wished to ask the right hon. Gentleman one question as concerning the words proposed to be left out. In the Grand Committee considerable doubt was expressed as to whether it might not be possible as the section now stood to make several small osier beds on a farm which in the aggregate would cover a considerable number of acres. It was very likely that a farmer might take several small plots separate from each other on the banks of a stream, and that these collectively would be far greater than the limitation proposed in the schedule. In Grand Committee the right hon. Gentleman undertook to introduce qualifying words if he were advised that there was any doubt on the subject. He would like to know whether the right hon. Gentleman was satisfied that the words "not exceeding one acre" would obviate the difficulty which had been raised.

*MR. LONG: I did carefully consider that point, and I have been assured that the clause as worded would limit the farmer to planting one acre in all.

SIR J. STIRLING-MAXWELL (Glasgow, College) said the Government might well agree to accept this Amendment without any fear of losing the Bill as a whole. The Government might rest assured that very little interest was taken in this question, which was a very small one in itself, but, as a matter of principle, of very great importance. If this schedule was passed, although it would not do much in the direction desired for the benefit of the tenant, it would be used in the future to deprive the landlord of the right to decide as to what use his land should be put. The result might be that the landlord would have to pay compensation for what had actually made the holding of less value than before.

MR. JOHNSON-FERGUSON (Leicestershire, Loughborough) said if the Amendment were accepted it would strike at the real principle of the Bill, as laid down by the right hon. Gentleman, and a tenant would not be able to plant an osier bed without first obtaining the permission of the landlord. If an improvement was to change the character of the farm, he could very well understand that it should be necessary to obtain first the consent of the landlord; but if the improvement was a mere adjunct to the amenity of the holding, then that consent should not be necessary. He hoped the right hon. Gentleman would adhere to the clause as it stood.

LORD HUGH CECIL said he had listened with great interest to the debate, and he could not congratulate his right hon. friend the President of the Board of Agriculture on having received very much support from his own side of the House. The only speech in his favour came from the hon. Member for North Hampshire, who relied mainly on his great faith in fruit farming for the benefit of the country. One of the ablest speeches made upon the Amendment was founded on a ground all those who supported the Bill regarded as most dangerous. One hon. Member regarded it as a compromise because it was supported from both sides of the House; another, with a perfectly open mind, argued on one side and formed his conclusions on the other. The right hon. Gentleman having, to judge by his speech, an eccentric love for doing what is practically useless and logically pernicious, proposed to adhere to the Bill as it stood. There were hon. Members who had not an unreasoning zeal in favour of want of logic; they preferred what was logically sound and sensible, and therefore they intended to divide the House.

MR. PHILIPPS (Pembrokeshire) said the noble Lord who had just sat down appeared to think the landlord would be robbed because a tenant was going to be given a discretion with regard to the way he might cultivate one acre of his farm. No one could read the papers for a week without finding articles deploring the amount of eggs or other produce we were importing, and moralising on the want of energy of our agriculturalists, who allowed this importation of articles which they might produce themselves. What the Government proposed to do was to say that with regard to one acre of his holding the farmer shall be allowed a discretion, so that he might be able to move with the times if he had the capacity to do so. A variety of arguments had been urged against the clause. The hon. Member for Woodbridge did not like it for the reason that though it would not much affect the large landowner, it might bear very hardly on the small landlords, who were poor men, if they had to give compensation for these improvements. People were always lamenting that more money was not put into the land, yet hon. Members like the hon. Member for Woodbridge objected to the tenants putting their money into it.

CAPTAIN PRETYMAN: Not at all. I only objected to their spending the landlords' money.

MR. PHILIPPS said that in this case the tenant spent his own money in improving the land, and if objection was now to be raised to his spending his own money as regarded improving an acre of land, how was capital to get into the land and farming to progress at all? The right hon. Member for Thanet said that fruit farming up to an acre ought not to be allowed, because a farmer in the North of England might plant an acre—which was not adapted to the purpose—with fruit trees. But as regarded one acre, which

was a moderate enough proposal, it was absurd to say that a farmer should not plant fruit trees because some stupid person might plant them on unsuitable land. Two principles had been discussed on this Amendment. One principle was that somebody unconnected with agriculture and who did not understand it should teach the farmer his business; the other principle was to leave the farmer a free hand in order that he might try and do something to promote progress in his business. The Government had not gone very far in that direction, but their proposal was a right one and he should support it.

MR. GRANT LAWSON (Yorkshire, N.R., Thirsk) pointed out that the Amendment before the Committee was not so much directed against those who wished to make an orchard or a garden as it was to the question of whether, if a man did so on another man's land without the owner's consent or against his will, the owner should pay him compensation when he gave up his tenancy. He rose for the purpose of suggesting a compromise. The Amendment appeared to apply more particularly to osier beds than to orchards and gardens, and it was argued that the change in the character of the holding was much more serious in that case. He thought, therefore, an agreement might be arrived at by giving way on the question of osier beds, and allowing the clause to stand as at present with regard to orchards and gardens.

MR. HEYWOOD JOHNSTONE (Sussex, Horsham) said that, whatever might have been the case, the proposals of the Bill had been given away by the hon. Member for Louth, who appeared to look upon the relation of the landlord and tenant as that of a partnership, and he desired that one partner should have power to break the articles of partnership and make experiments in his own interests. But a partnership was generally governed by articles, one of which forbade one partner engaging in speculations or experiments. Yet that was the relationship which it was suggested to apply between the landlord and the tenant. But, apart from that, he thought that these proposals required more consideration than had been bestowed upon them. They appeared to have been pitchforked into the Bill without any consideration as to how they would work out in practice. There was no proportion about them; however small or however large the holding, the acre multiplied by three might be taken off. So that on a holding of seven acres, nearly half might be taken for experiments, and when another tenant took the holding he might take another three and leave only one acre. Those were matters which should be guarded against, and which ought to have been foreseen, and in his opinion it would be better to withdraw the present proposal, and bring it forward in some other form which would deal with those objections. Arguments were often urged that when there was no permanent value in the improvements to the holding, the tenant would not be paid for them. He distrusted such arguments, because if the arbitrator had power to give compensation he would always look with a kindly eye upon the man who had laid out his money. The man might have laid it out unwisely, and in a manner which would bring no permanent return, but so long as human nature remained as it was, the arbitrator would see some possibilities of good to the incoming tenant. What the House had to consider was whether the proposals were good in themselves, and whether sufficient provision had been made to guard against those difficulties and possible differences which he had drawn to the attention of the House.

COMMANDER BETHELL thought it would be only just and fair after what had been said on both sides of the House if the right hon. Gentleman in charge of the Bill would allow the division to be taken without the Government tellers, and not attempt to coerce the party, but leave it free and let them by their votes give the true sense of the House upon the Amendment.

Question put.

The House divided:—Ayes, 231; Noes, 53. (Division List No. 213.)

AYES.

Abraham, Wm. (Cork, NE.)	Atkinson, Rt. Hon. John	Balfour, Rt. Hn. G. W. (Leeds
Acland-Hood, Capt. Sir A. F.	Austin, M. (Limerick, W.)	Banbury, Frederick George
Allan, William (Gateshead)	Bailey, James (Walworth)	Beach, Rt. Hn. Sir M. H. (Bristol
Arrol, Sir William	Balfour, Rt. Hn. A. J. (Manch'r)	Beaumont, Wentworth, C. B.

Bhownaggree, Sir M. M.
Biddulph, Michael
Bigwood, James
Billson, Alfred
Bolton, Thomas Dolling
Boscawen, Arthur Griffith-
Bramsdon, Thomas Arthur
Brigg, John
Brodrick, Rt. Hon. St. John
Brunner, Sir John Tomlinson
Bryce, Rt. Hon. James
Buchanan, Thomas Ryburn
Bullard, Sir Harry
Burns, John
Burt, Thomas
Butcher, John George
Buxton, Sydney Charles
Caldwell, James
Cameron, Sir Charles (Glasgow)
Cameron, Robert (Durham)
Campbell-Bannerman, Sir H.
Carlile, William Walter
Carson, Rt. Hon. Sir Edw. H.
Causton, Richard Knight
Cavendish, V. C. W. (Derb'shire
Cawley, Frederick
Chamberlain, Rt. Hon. J (Birm.
Chamberlain, J. Austen (Worc'r
Chaplin, Rt. Hon. Henry
Charrington, Spencer
Chelsea, Viscount
Clark, Dr. G. B.
Coddington, Sir William
Coghill, Douglas Harry
Cohen, Benjamin Louis
Collings, Rt. Hon. Jesse
Colston, Chas. Edw. H. Athole
Cook, Fred. Lucas (Lambeth)
Cooke, C. W. Radcliffe (Heref'd)
Corbett, A. Cameron (Glasgow)
Cornwallis, Fiennes Stanley W.
Crilly, Daniel
Crombie, John William
Cross, Alexander (Glasgow)
Cross, Herb. S. (Bolton)
Curran, Thomas (Sligo, S.)
Dalziel, James Henry
Davies, Sir Horatio D (Chatham
Dilke, Rt. Hon. Sir Charles
Donelan, Captain A.
Doogan, P. C.
Douglas, Rt. Hon. A. Akers-
Doxford, Sir William Theodore
Dunn, Sir William
Dyke, Rt. Hon. Sir Wm. H.
Emmott, Alfred
Evans, Samuel T. (Glamorgan
Fardell, Sir T. George
Fellowes, Hon. Ailwyn Ed.
Fenwick, Charles
Finlay, Sir Robert Bannatyne
Firbank, Joseph Thomas
Fisher, William Hayes
FitzGerald, Sir R. Penrose-
Fitzmaurice, Lord Edmond
Flannery, Sir Fortescue
Flavin, Michael Joseph
Flower, Ernest
Flynn, James Christopher
Fowler, Rt. Hon. Sir Henry
Galloway, William Johnson
Garfit, William
Gedge, Sydney
Gibbons, J. Lloyd
Gladstone, Rt. Hn. Herbert Jn.
Goddard, Daniel Ford
Goldsworthy, Major-General
Gordon, Hon. John Edward
Gorst, Rt. Hon. Sir John Eldon
Goschen, George J. (Sussex)
Goulding, Edward Alfred
Graham, Henry Robert
Gray, Ernest (West Ham)
Green, W. D. (Wednesbury)
Greene, H. D. (Shrewsbury)
Haldane, Richard Burdon
Hamilton, Rt. Hn. Lord George
Hanbury, Rt. Hon. Robert W.
Hanson, Sir Reginald
Harwood, George
Hayne, Rt. Hn. Charles Seale-
Hedderwick, Thomas C. H.
Hemphill, Rt. Hon. Chas. H.
Henderson, Alexander
Hoare, Sir Samuel (Norwich)
Hogan, James Francis
Hornby, Sir William Henry
Horniman, Frederick John
Houston, R. P.
Howard, Joseph
Humphreys-Owen, Arthur C.
Hutton, Alfred E. (Morley)
Jacoby, James Alfred
Jebb, Sir Richard Claverhouse
Johnson-Ferguson, J. E.
Jones, D. Brynmor (Swansea)
Jones, William (Carnarvons.)
Kearley, Hudson E.
Kenyon-Slaney, Col. William
King, Sir Henry Seymour
Knowles, Lees
Lawrence, Sir E Durning-(Corn.
Lawson, Sir Wilfrid (Cumb'd)
Lewis, John Herbert
Llewelyn, Sir Dillwyn-(Swan'a
Loder, Gerald Walter Erskine
Long, Rt. Hn. Walter (Liverp'l)
Lonsdale, John Brownlee
Lough, Thomas
Lowe, Francis William
Lowles, John
Loyd, Archie Kirkman
Lyttelton, Hon. Alfred
Macaleese, Daniel
Macdona, John Cumming
MacNeill, John Gordon Swift
M'Arthur, Charles (Liverpool)
M'Arthur, Wm. (Cornwall)
M'Dermott, Patrick
M'Ewan, William
M'Ghee, Richard
M'Laren, Charles Benjamin
M'Leod, John
Maddison, Fred.
Mappin, Sir Frederick Thorpe
Mendl, Sigismund Ferdinand
Middlemore, J. Throgmorton
Monk, Charles James
More, R. J. (Shropshire)
Morgan, J. L. (Carmarthen)
Morrell, George Herbert
Murray, Rt. Hn. A. G. (Bute)
Murray, Col. Wyndham (Bath)
Myers, William Henry
Nicholson, William Graham
Nussey, Thomas Willans
O'Brien, Patrick (Kilkenny)
O'Connor, J. (Wicklow, W.)
O'Connor, T. P. (Liverpool)
Oldroyd, Mark
O'Malley, William
Paulton, James Mellor
Pease, A. E. (Cleveland)
Peel, Hn. Wm. Robt. Wellesley
Penn, John
Perks, Robert William
Philipps, John Wynford
Pickard, Benjamin
Pilkington, Sir G. A. (Lancs SW)
Power, Patrick Joseph
Price, Robert John
Pryce-Jones, Lt.-Col. Edwd.
Purvis, Robert
Reid, Sir Robert Threshie
Rickett, J. Compton
Ridley, Rt. Hn. Sir Matthew W
Ritchie, Rt. Hon. C. Thomson
Robertson, Edmund (Dundee)
Robson, William Snowdon
Russell, T. W. (Tyrone)
Samuel, Harry S. (Limehouse)
Samuel, J. (Stockton-on-Tees)
Savory, Sir Joseph
Seely, Charles Hilton
Sharpe, William Edward T.
Simeon, Sir Barrington
Sinclair, Capt. J. (Forfarshire)
Smith, Abel H. (Christchurch)
Smith, J. Parker (Lanarks.)
Smith, Samuel (Flint)
Smith, Hon. W. F. D. (Strand)
Soames, Arthur Wellesley
Souttar, Robinson
Spencer, Ernest
Spicer, Albert
Stanley, Hon. A. (Ormskirk)
Stanley, Edward J. (Somerset)
Stanley, Sir H. M. (Lambeth)
Steadman, William Charles
Stewart, Sir M. J. M'Taggart
Strutt, Hon. Charles Hedley
Sullivan, Donal (Westmeath)
Sutherland, Sir Thomas
Tennant, Harold John
Thomas, Abel (Carmarthen, E.)
Thomas, A. (Glamorgan, E.)
Thomas, David A. (Merthyr)
Trevelyan, Charles Philips
Tritton, Charles Ernest
Wallace, Robert
Walton, J. Lawson (Leeds, S.)
Wanklyn, James Leslie
Warner, Thomas Courtenay T.
Warr, Augustus Frederick
Wason, Eugene
Wedderburn, Sir William
Weir, James Galloway
Williams, Jos. Powell- (Birm.)
Wilson, John (Durham, Mid)
Wilson, John (Falkirk)
Wilson, John (Govan)
Wilson-Todd, W. H. (Yorks.)
Wodehouse, Rt Hon E. R. (Bath)
Woods, Samuel
Wortley, Rt. Hon. C. B. Stuart-
Wylie, Alexander
Wyndham, George
Wyvill, Marmaduke D'Arcy
Young, Samuel (Cavan, East)
Yoxall, James Henry

TELLERS FOR THE AYES:—
Sir William Walrond and
Mr. Anstruther.

NOES.

Anson, Sir William Reynell	Gibbs, Hn. Vicary (St. Albans	Quilter, Sir Cuthbert
Baird, John George Alexander	Godson, Sir Augustus Fredk.	Rankin, Sir James
Bethell, Commander	Hardy, Laurence	Remnant, James Farquharson
Bill, Charles	Heaton, John Henniker	Round, James
Bowles, T. Gibson (King's L.	Helder, Augustus	Russell, Gen. F. S. (Cheltenham
Brassey, Albert	Johnstone, Heywood (Sussex)	Shaw-Stewart, M. H. (Renfrew
Cecil, Evelyn (Hertford, East	Lawson, John Grant (Yorks)	Sidebottom, William (Derby.)
Cecil, Lord Hugh (Greenwich)	Lecky, Rt. Hn. Wm. Ed. H.	Stirling-Maxwell, Sir John M.
Cox, Irwin Edward Bainbridge	Lopes, Henry Yarde Buller	Stock, James Henry
Cripps, Charles Alfred	Lowther, Rt. Hn. James (Kent)	Talbot, Rt. Hn. J. G. (Oxf'd Un.)
Cruddas, William Donaldson	Lucas-Shadwell, William	Tollemache. Henry James
Dalkeith, Earl of	M'Killop, James	Tomlinson, Wm. Edw. Murray
Donkin, Richard Sim	Malcolm, Ian	Welby, Lt.-Col. A C E (Taunt'n
Dorington, Sir John Edward	Milkank, Sir Powlett Chas. J.	Welby, Sir C. G. E. (Notts.)
Elliot, Hon. A. Ralph Douglas	Morgan, Hn. F. (Monmouthsh.	Young, Commander (Berks, E.)
Faber, George Denison	Morrison, Walter	
Fergusson, Rt. Hn. Sir J. (Manc'r	Mount, William George	TELLERS FOR THE NOES—
Forster, Henry William	Pilkington, R. (Lancs, Newton)	Earl Percy and Mr. Pretyman.
Foster, Harry S. (Suffolk)	Powell, Sir Francis Sharp	

*EARL PERCY said he would formally move the next Amendment, though, after the overwhelming support given to the Government by the Opposition in the lobby, he would not take a division for the purpose of asking a question which perhaps the Attorney General would answer. Under the Bill a tenant would be allowed to make a garden to the extent of an acre without the consent of the landlord; but in the case of a yearly tenancy and the tenant going out at the end of the year, would the new tenant be free to add another acre to the tenancy?

Amendment proposed—

"In page 6, line 10, to leave out the words 'exceeding one acre.'"—(*Earl Percy.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

SIR ROBERT FINLAY said the amount of compensation would arise out of the whole tenancy, and the limit in the schedule would apply to the one tenancy.

*EARL PERCY: But the next yearly tenant, and the next, and the next again?

SIR ROBERT FINLAY said he should certainly read the Bill as applying to one tenancy, and the next tenant would have equal right with his predecessor.

MR. JAMES LOWTHER said the Attorney General told them distinctly that if a new tenant came in or a son took up his father's tenancy, he might set to work on other three acres. In the previous discussion he was opposed by his hon. friend the Member for North Hampshire, who was the only Conservative Member who supported the Government by speech. His hon. friend said that if a tenant experimented by planting osiers he would get no compensation from the valuer. He ventured to differ entirely from that. He was sorry to say that he had tried the experiment of planting osiers, and he had been fool enough to plant an orchard. He could assure the House that he had deeply regretted both experiments. An hon. and learned friend of his was, he knew, a great authority on gardening, and he had been so good as to afford some valuable information in a publication which he could only hope his tenants had never read. According to the hon. Member for Hereford, the way to make money was to plant orchards and embark in fruit cultivation. That might be true in his case and his neighbourhood, but in his own it was disastrous.

*MR. SPEAKER: Order, order! I understood that all these three Amendments about osiers, gardens, and orchards were to be discussed in the first, but if there are to be separate debates on each of these Amendments the right hon. Gentleman cannot go into the question of orchards now.

MR. JAMES LOWTHER said that in the previous debate he did not touch on the question of orchards, while his hon. friend, in moving this Amendment, never alluded to osiers at all. Of course he drew a great distinction between osiers and other experiments of

that kind. He was endeavouring to show that gardening, as distinguished from osier beds and fruit trees, was a very doubtful speculation indeed. Certainly in his own neighbourhood, if any farmer were to suggest to him—he never had a tenant who would do it—that he wanted to devote his attention to gardening, he would advise him, if he wished to retain any portion of his capital, to keep out of the gardening business. It now appeared that the entire character of a holding might be speculatively altered without the consent of the landlord, and he hoped that in another place common sense would amend the Bill in this respect.

LORD HUGH CECIL said it was necessary to comment upon what the Attorney General had told them. It would be remembered that the President of the Board of Agriculture relied very largely on the fact that one acre was the limit. The explanation of the Attorney General disposed of the statement that this improvement or injury would be limited to one acre. They now learned as a matter of fact that if one tenancy succeeded another, acre after acre would be liable to be so treated. The question was left in a substantially different position from that in which they approached it when the discussion commenced. He believed it to be a pernicious principle to extend to one acre, but they now knew that it might be extended to a great many acres. A more ridiculous conclusion and a greater piece of absurdity it would be impossible to imagine. He hoped the Government would amend this in the other House.

COMMANDER BETHELL said he had the impression that his right hon. friend the President of the Board of Agriculture had no suspicion of what was buried in the close of this Bill, and he saw the look of surprise that came over his face when the Attorney General made this painful discovery of the extent to which these proceedings might be carried in the course of a few years. He suggested that something should be done to meet this difficulty when the Bill went to a place where common sense could be applied to it.

*MR. LONG: Nobody can have any doubt whatever of the conditions under which compensation will be payable to a tenant. I am bound to say that it did not occur to me that the objection now raised was a very important one, because I think it is not likely to occur frequently.

Question put, and agreed to.

SIR WILLIAM WEDDERBURN: My Amendment refers to item twelve of Part I. of the schedule, which requires the consent of the landlord for the reclaiming of waste land. The effect of that will be practically in the north of Scotland to veto all the reclamation of land which is now going on day by day. We ought rather to encourage the labour by which people make one or more blades of grass grow where none grew before. My right hon. friend the President of the Board of Agriculture does not claim to have special knowledge of the north of Scotland, but I am glad to say that the Attorney General has that knowledge, and I would appeal to him in regard to the correctness of my statement and the reasonableness of the small concession I now ask for. I think as the right hon. Gentleman in charge of the Bill has refused to give us a separate Scotch Bill, he will feel himself bound, as far as he possibly can, to meet any particular grievance pointed out to him as arising from the different circumstances of Scotland, and especially the north of Scotland, to those of England. My proposition is that if the improvements which take the form of reclaiming the waste land require the consent of the landlord practically the improvements cannot go on. As the right hon. Gentleman does not claim special knowledge of the north of Scotland, I will very briefly explain what the circumstances are. Very frequently an arrangement has been made with a large proprietor holding a great amount of waste land, as well as fertile and cultivable land. The proprietor often settles industrious cultivators on the land. I would instance the case of the Duke of Fife, who holds a large estate in Banffshire. His predecessor settled a great number of people on these terms. He said to them, "You must not look to me for money to assist you in your improvements or your reclamation, but I will put moderate rents upon the ground, which is now very unproductive, and you will get the whole benefit that arises from building your houses, reclaiming the land, draining it, and the like."

That was the understanding under which these industrious small holders have reclaimed very large tracts of country and very much improved all that district. But it is quite evident that these are small operations. How is it that one of those small holders proceeds to reclaim? It is perhaps by digging an open trench, by removing boulders, by digging up heather, and by putting down a spadeful or two of lime when he has the opportunity. He does not undertake great reclamations, but he is at it from day to day, constantly at work, and the ultimate result is that a very valuable new tract of cultivated land is brought within the proprietor's domain. If he had to get the consent of the landlord for each of these operations it would be impossible. Distances are great, and he cannot go away miles and miles to the proprietor or his agent to get his sanction for these small improvements. What I would really be glad to see would be that the reclamation of waste land should be taken out of the hands of the landlord altogether and handed over to the tenant. I cannot see how the landlord's interest can in any way be affected by a change from heather into grass. Therefore, in imposing this restriction, you are really putting a difficulty in the way of carrying out improvements by an industrious and enterprising people. In fact I think I may say that a great part of the land now under cultivation would never have been brought under cultivation if a difficulty of this sort had existed. Therefore I should be glad to see this restriction removed altogether, but I know there is no use in pressing opposition on the matter and asking very much. I have only suggested that land for reclamation, not exceeding an acre, should be left to the discretion of the tenant. I have referred to the Duke of Fife's estate rules. As long as the Duke of Fife owns that land the tenant is perfectly safe in making the reclamation, but then, unfortunately, it sometimes happens, as has happened in the case of the Duke of Fife, that the landlord sells a considerable portion of the land, and then the estate rules cease to operate, and people who have been working on the faith of those rules, find that there is no protection for their improvements at all. I beg to move.

Amendment proposed—

"In page 6, line 19, after the words 'waste land,' to insert the words, 'exceeding one acre.'"—(*Sir William Wedderburn.*)

Question proposed, "That those words be there inserted."

*MR. LONG: It is obviously impossible to discuss the Amendment under consideration without reference to the one that follows it, and is consequent upon it. I have considerable sympathy with the hon. baronet in his desire that some concession should be made to tenants who find themselves in the circumstances described, but I do not think the change he suggests is one that is desirable. He has no doubt in his mind a particular class of tenants effecting a particular kind of reclamation, but the term "reclamation of waste land" is one which is applied in various ways in different parts of the country, and while it might be quite fair to enable this work to be done without limitation in some parts of the country, under his conditions it would be unfair and unwise to permit it elsewhere. While the reclamation of waste land is of the utmost importance as affecting the future value of the land it may be land which some people consider it is altogether undesirable to improve and reclaim. There are many kinds of waste land. There is waste land over which not only the owner but particular persons have certain rights, and it is conceivable that in such cases difficulties might arise if tenants were empowered to reclaim the land without the consent of the landlord or his agent. Under these circumstances I will ask the House to resist the Amendment of the hon. Baronet.

MR. HEDDERWICK (Wick Burghs): I venture to express the hope that the right hon. Gentleman will be open to persuasion on this point. I think it has sometimes accelerated the progress of a measure if the Minister in charge of it gives way gracefully occasionally. I cannot help thinking that he has somewhat exaggerated the importance of the Amendment moved by my hon. friend. I do not for one moment dispute that there may be very good reasons for inserting the item in the first schedule applying to the reclamation of waste land generally, because it is quite obvious that there may be cases where money would be thrown

away in reclaiming land which would never be of profit to the owner. If the reclamation of land is carried to a large extent, I think the consent of the landlord ought first to be obtained. The Amendment moved by my hon. friend is strictly limited to the reclamation of waste land to the extent of an acre. I do not want to exaggerate the importance of the Amendment—I do not know that it is of so much importance as to justify the right hon. Gentleman in refusing to consider it; and certainly in those cases to which my hon. friend more particularly referred—small holdings in the Highlands—I do believe it might have some beneficial effect. I cannot conceive a case in which a landlord would refuse his consent to the reclamation of an acre of land where it was manifest that the reclamation would improve the value of the land. Considering how very little the right hon. Gentleman has been asked to give way, he would do a good thing if he would be persuaded to change his mind.

MR. VICARY GIBBS: I have very considerable sympathy with the hon. Baronet's object. Every argument the right hon. Gentleman used against the Amendment might be used against himself in other matters. I said some time ago that the Bill was faulty in principle, and before five months have passed we have an illustration of that fact. There is no reason whatever why, if it is right to give compensation for an orchard cultivated without the landlord's consent, it should not be right to give it for the reclamation of an acre of bog land. I can see no distinction between them. Both are good objects. The question is whether that should be done at somebody else's expense. I merely wish to point out how very quickly the effect which I ventured to prophesy has been fulfilled.

Question put.

The House divided:—Ayes, 60; Noes, 126. (Division List No. 214.)

AYES.

Allan, William (Gateshead)	Hogan, James Francis	Rickett, J. Compton
Billson, Alfred	Horniman, Frederick John	Samuel, J. (Stockton on Tees
Bolton, Thomas Dolling	Humphreys-Owen, Arthur C.	Sinclair, Capt. Jno. (Forfarshire
Brunner, Sir John Tomlinson	Hutton, Alfred E. (Morley)	Smith, Samuel (Flint)
Bryce, Rt. Hon. James	Jones, David Brynmor (Swans.	Soames, Arthur Wellesley
Burns, John	Lawson, Sir W. (Cumberland)	Souttar, Robinson
Burt, Thomas	Lewis, John Herbert	Spicer, Albert
Caldwell, James	Macaleese, Daniel	Steadman, William Charles
Causton, Richard Knight	M'Ghee, Richard	Strutt, Hon. Charles Hedley
Cross, Alexander (Glasgow)	M'Leod, John	Sullivan, Donal (Westmeath)
Curran, Thomas (Sligo, S.)	Maddison, Fred.	Tanner, Charles Kearns
Dilke, Rt. Hon. Sir Charles	Mendl, Sigismund Ferdinand	Thomas, Alfred (Glamorgan, E.
Donelan, Captain A.	Middlemore, J. Throgmorton	Thomas, David Alfred (Merthyr
Doogan, P. C.	O'Connor, James (Wicklow, W.	Weir, James Galloway
Fenwick, Charles	O'Connor, T. P. (Liverpool)	Wilson, John (Durham, Mid)
Fitzmaurice, Lord Edmond	Oldroyd, Mark	Wilson, Jos. H. (Middlesbrough
Flavin, Michael Joseph	O'Malley, William	Woods, Samuel
Flynn, James Christopher	Perks, Robert William	Yoxall, James Henry
Gladstone, Rt. Hn. Herbert J.	Philipps, John Wynford	TELLERS FOR THE AYES—
Goddard, Daniel Ford	Pickard, Benjamin	Sir William Wedderburn
Hayne, Rt. Hon. Charles Seale-	Reid, Sir Robert Threshie	and Mr. Hedderwick.

NOES.

Arrol, Sir William	Cavendish, V. C. W. (Derbysh.	Dalkeith, Earl of
Atkinson, Rt. Hon. John	Cecil, Evelyn (Hertford, East)	Davies, Sir Hor. D. (Chatham
Bailey, James (Walworth)	Cecil, Lord Hugh (Greenwich)	Dickinson, Robert Edmond
Balfour, Rt. Hn. A. J. (Manch'r)	Chamberlain, Rt Hn J. (Birming	Donkin, Richard Sim
Balfour, Rt. Hn. G. W. (Leeds)	Chamberlain, J. Austen (Worc'r	Douglas, Rt. Hon. A. Akers-
Beach, Rt. Hn. Sir M. H. (Bristol	Chaplin, Rt. Hon. Henry	Doxford, Sir William Theodore
Bethell, Commander	Charrington, Spencer	Dyke, Rt. Hon. Sir Wm. Hart
Bhownaggree, Sir M. M.	Coghill, Douglas Harry	Fardell, Sir T. George
Biddulph, Michael	Cohen, Benjamin Louis	Fellowes, Hon. Ailwyn Edw.
Bill, Charles	Collings, Rt. Hon. Jesse	Field, Admiral (Eastbourne)
Boscawen, Arthur Griffith-	Colston, Chas. Ed. H. Athole	Finlay, Sir Robert Bannatyne
Bowles, T. G. (King's Lynn)	Cooke, C. W. R. (Hereford)	Firbank, Joseph Thomas
Brodrick, Rt. Hon. St. John	Corbett, A. C. (Glasgow)	Fisher, William Hayes
Bullard, Sir Harry	Cornwallis, Fiennes Stan. W.	Flannery, Sir Fortescue
Butcher, John George	Cross, Herb. Shepherd (Bolton	Flower, Ernest
Carson, Rt. Hn. Sir Edw. H.	Cruddas, William Donaldson	Forster, Henry William

Mr. Hedderwick.

Galloway, William Johnson
Garfit, William
Gibbons, J. Lloyd
Gibbs, Hon. Vicary (St. Albans)
Godson, Sir Augustus Fred.
Goldsworthy, Major-General
Gorst, Rt. Hn. Sir John Eldon
Goschen, Rt. Hn. G. J. (St. Geo.'s
Goschen, George J. (Sussex)
Gray, Ernest (West Ham)
Hamilton, Rt. Hn. Lord George
Hanbury, Rt. Hon. Robert Wm.
Hanson, Sir Reginald
Hardy, Laurence
Heaton, John Henniker
Hornby, Sir William Henry
Houston, R. P.
Howard, Joseph
Jebb, Sir Richard Claverhouse
Johnstone, Heywood (Sussex)
Kenyon-Slaney, Col. William
King, Sir Henry Seymour
Lawrence Sir E. Durning- (Corn
Lawson, John Grant (Yorks.)
Llewelyn, Sir D. (Swansea)
Loder, Gerald Walter Erskine
Long, Rt Hn. Walter (Liverpool
Lonsdale, John Brownlee
Lopes, Henry Yarde Buller
Lowe, Francis William
Lowles, John
Lowther, Rt. Hn. James (Kent)
Loyd, Archie Kirkman
Macdona, John Cumming
M'Arthur, Charles (Liverpool)
M'Killop, James
Milbank, Sir Powlett C. J.
More, Robert J. (Shropshire)
Morrell, George Herbert
Morton, Arthur H. A. (Deptford
Mount, William George
Murray, Rt Hn A Graham (Bute
Murray, Col. Wyndham (Bath
Myers, William Henry
Percy, Earl
Pilkington, R. (Lancs, Newton)
Powell, Sir Francis Sharp
Pretyman, Ernest George
Pryce-Jones, Lt.-Col. Edward
Purvis, Robert
Ridley, Rt. Hn. Sir Matthew W.
Ritchie, Rt. Hon. Charles T.
Robertson, Herbert (Hackney)
Round, James
Russell, Gen. F. S. (Cheltenham
Russell, T. W. (Tyrone)
Samuel, Harry S. (Limehouse)
Sharpe, William Edward T.
Shaw-Stewart, M. H. (Renfrew)
Sidebottom, William (Derbysh
Smith, Abel H. (Christchurch)
Smith, James P. (Lanarks.)
Smith, Hon. W. F. D. (Strand)
Spencer, Ernest
Stirling-Maxwell, Sir John M.
Stock, James Henry
Tomlinson, Wm. Edw. Murray
Wanklyn, James Leslie
Warr, Augustus Frederick
Welby, Lt-Col. A. C. E. (Tauntn
Welby, Sir C. G. E. (Notts.)
Williams, Joseph Powell- (Bir.
Willoughby de Eresby, Lord
Wilson, John (Falkirk)
Wilson-Todd, W. H. (York)
Wylie, Alexander
Wyndham, George
Young, Commander (Berks, E.)

TELLERS FOR THE NOES—
Sir William Walrond and
Mr. Anstruther.

Another Amendment made.

*MR. SEALE-HAYNE (Devonshire, Ashburton) said the Amendment which he had to propose was a very simple one, which he thought the right hon. Gentleman would be able to accept. Its object was to place the tenant farmer in precisely the same position as the Bill placed the market gardener. At the end of Part III. of Schedule I. there appeard the words—

"(v.) Erection or enlargement of buildings for the purpose of the trade or business of a market gardener."

If the market gardener was entitled to that provision *a fortiori* the farmer ought to have a similar proviso. His proposal was to insert the words at the end of line 24, "erection or enlargement of buildings for the purpose of the trade or business of a farmer." To keep a large number of cattle it was necessary that shelter should be provided for them, and the farmer, to his mind, should be protected in his expenditure upon such things as shelter for his cattle, sheds for machinery, pigsties, houses for poultry, and such-like erections. It so happened that landlords were very often impecunious, and unable to provide these buildings. Under such circumstances it was only fair that the farmer should have the opportunity of putting up such accommodation for himself, and obtaining compensation. He need hardly say that he did not sympathise with those hon. Gentlemen on the opposite benches who looked askance at everything which would directly benefit the tenant, and which in their view was an infringement upon the landlords' rights of property. He had the misfortune of being a landlord himself, and he could only say that he was perfectly convinced that the greater security they gave to the tenant's property the greater would be the value of the tenancy, and the higher would be the rent which the tenant would be willing to pay for his holding.

Amendment proposed—

"In page 6, after line 26, to insert the words, '(16) erection or enlargement of buildings for the purpose of the trade or business of a farmer.'"—(*Mr. Seale-Hayne.*)

Question proposed, "That those words be there inserted."

*MR. LONG said the object was to confine Part I. to the "erection, alteration, or enlargement of buildings." He could not accept the Amendment, because the intention was to limit the power to the erection and enlargement of buildings where the consent of the landlord was required. The right hon. Gentleman had based his Amendment very largely upon the assumption that in the Market Gardeners' Compensation Act that power existed. He was not prepared at present to express any opinion upon that point, but he held very strongly that it was

most desirable that in these cases the work should be done by the landlord. Buildings erected for the purposes of agriculture ought to be so erected as to be of a permanent and enduring character. He fancied that at the present moment there was really less justification for the Amendment than probably there ever was before. Therefore he was not prepared to accept the introduction of an Amendment which was entirely contrary to the intention of the powers of the Bill. It might be that they had not quite succeeded in exactly carrying out their intentions, which was to limit their power to the erection of large buildings which required that the consent of the landlord should be given.

Question put.

The House divided:—Ayes, 45; Noes, 112. (Division List No. 215.)

AYES.

Allan, William (Gateshead)
Billson, Alfred
Broadhurst, Henry
Brunner, Sir John Tomlinson
Burt, Thomas
Caldwell, James
Cross, Alexander (Glasgow)
Curran, Thomas (Sligo, S.)
Dilke, Rt. Hon. Sir Charles
Doogan, P. C.
Fenwick, Charles
Flavin, Michael Joseph
Foster, Sir Walter (Derby Co.
Goddard, Daniel Ford
Horniman, Frederick John
Humphreys-Owen, Arthur C.
Lewis, John Herbert
Macaleese, Daniel
M'Ghee, Richard
M'Leod, John
Maddison, Fred.
Mendl, Sigismund Ferdinand
O'Brien, Patrick (Kilkenny)
O'Connor, T. P. (Liverpool)
Oldroyd, Mark
O'Malley, William
Perks, Robert William
Philipps, John Wynford
Pickard, Benjamin
Rickett, J. Compton
Samuel, J. (Stockton-on-Tees)
Sinclair, Capt. J. (Forfarshire
Soames, Arthur Wellesley
Souttar, Robinson
Spicer, Albert
Steadman, William Charles
Sullivan, Donal (Westmeath)
Tanner, Charles Kearns
Thomas, A. (Glamorgan, E.)
Thomas, David A. (Merthyr)
Weir, James Galloway
Williams, JohnCarvell(Notts.
Wilson, John (Durham, Mid)
Wilson, Jos. H. (Middlesbro')
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Seale-Hayne and Mr. Hedderwick.

NOES.

Allhusen, Augustus Hy. Eden
Arrol, Sir William
Atkinson, Rt. Hon. John
Bailey, James (Walworth)
Balfour, Rt. Hon. G. W. (Leeds)
Bethell, Commander
Biddulph, Michael
Bill, Charles
Boscawen, Arthur Griffith-
Bullard, Sir Harry
Carlile, William Walter
Cavendish, V. C. W(Derbyshire
Cecil, Lord Hugh (Greenwich)
Chamberlain, Rt. Hn. J. (Birm.)
Chamberlain, J. Austen (Worc.
Chaplin, Rt. Hon. Henry
Charrington, Spencer
Clare, Octavius Leigh
Coghill, Douglas Harry
Cohen, Benjamin Louis
Collings, Rt. Hon. Jesse
Colston, Chas. Edw. H. Athole
Cooke, C. W. Radcliffe(Heref'd)
Cornwallis, FiennesStanley W.
Cox, Irwin Edward Bainbridge
Cross, Herbert S. (Bolton)
Cruddas, William Donaldson
Davies, Sir H. D. (Chatham)
Dickinson, Robert Edmond
Digby, John K. D. Wingfield-
Donkin, Richard Sim
Douglas, Rt. Hon. A. Akers-
Doxford, Sir Wm. Theodore
Fardell, Sir T. George
Fellowes, Hon. Ailwyn Edw.
Field, Admiral (Eastbourne)
Finlay, Sir Robert Bannatyne
Firbank, Joseph Thomas
Fisher, William Hayes
Flower, Ernest
Forster, Henry William
Garfit, William
Gibbons, J. Lloyd
Gibbs, Hn. Vicary (St. Albans)
Godson, Sir Augustus F.
Goldsworthy, Major-General
Gordon, Hon. John Edward
Gorst, Rt. Hn. Sir John Eldon
Goschen, George J. (Sussex)
Hanson, Sir Reginald
Heaton, John Henniker
Hornby, Sir William Henry
Houston, R. P.
Howard, Joseph
Johnstone, Heywood (Sussex)
Kenyon-Slaney, Col. William
King, Sir Henry Seymour
Lawrence, Sir E. Durning-(Corn
Lawson, John Grant (Yorks.)
Long, Rt Hn. Walter(Liverpool
Lonsdale, John Brownlee
Lopes, Henry Yarde Buller
Lowe, Francis William
Lowles, John
Loyd, Archie Kirkman
Macdona, John Cumming
M'Arthur, Charles (Liverpool
M'Killop, James
Mellor, Colonel (Lancashire)
Middlemore, John T.
Milbank, Sir Powlett Chas. J.
More, R. Jasper (Shropshire)
Morrell, George Herbert
Morton, A. H. A. (Deptford)
Mount, William George
Murray, Rt. Hn. A. G. (Bute)
Murray, Col. Wyndham (Bath
Myers, William Henry
Percy, Earl
Pilkington, R. (Lancs., Newton)
Platt-Higgins, Frederick
Powell, Sir Francis Sharp
Pretyman, Ernest George
Pryce-Jones, Lt.-Col. Edward
Purvis, Robert
Robertson, Herbert (Hackney
Round, James
Russell, Gen. F. S. (Cheltenham
Russell, T. W. (Tyrone)
Samuel, Harry S. (Limehouse)
Sharpe, William Edward T.
Shaw-Stewart, M. H. (Renfrew)
Sidebottom, William (Derbysh
Skewes-Cox, Thomas
Smith, Abel H. (Christchurch)
Smith, Hon. W. F. D. (Strand)
Spencer, Ernest
Stock, James Henry
Stone, Sir Benjamin
Strutt, Hon. Charles Hedley
Tuke, Sir John Batty
Vincent, Sir Edgar (Exeter)
Wanklyn, James Leslie
Warr, Augustus Frederick
Welby, Lt.-Col. A. C. E. (Taun'n
Welby, Sir Charles G. E. (Notts
Williams, Joseph Powell-(Birm.
Willoughby de Eresby, Lord
Wilson, John (Falkirk)
Wylie, Alexander
Wyndham, George
Young, Commander (Berks, E.)

TELLERS FOR THE NOES—Sir William Walrond and Mr. Anstruther.

A formal Amendment agreed to.

*MR. SHAW-STEWART (Renfrewshire, E.): I put this Amendment on the Paper in order to meet the views of persons interested in agriculture in Scotland who think that the definition of temporary pasture laid down in the Bill is rather wide. As it is at present interpreted, it would be quite possible to lay down temporary pasture and to take off a hay crop and then to claim compensation for the remaining pasture, the value of which might have been taken out in the hay crop, or by artificial manure of an exhausting character having been used on the land. I do not ask the right hon. Gentleman to accept the Amendment as it is, but I would be very glad if he would consider a closer definition of temporary pasture before this Bill passes through the other House. I think he will see on consideration that the definition is of such wide character that it might open the door to unnecessary legislation, which I am sure we are all anxious to avoid, and that it would lead to disappointment on the part of tenants making claims for laying down pasture for three years, according to what we call in Scotland the rules of good husbandry, for the purpose of resting the land. When pasture is laid down for resting the land it is not of very much value. I should be very glad if the right hon. Gentleman would see whether a better definition could not be found to meet the case of Scotland, and especially to meet the case of pasture laid down to rest the land.

Amendment proposed—

"In page 7, line 12, to leave out paragraph 28 of Schedule 1, and insert the words, 'Laying down pasture with clover, grass, lucerne, sainfoin, or other similar seeds, which shall not have been sown more than three years previous to the termination of the lease, from which no hay crop shall have been taken, and which shall not have been treated with exhausting artificial manures.'"—(*Mr. Shaw-Stewart.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

*MR. LONG: The Government are entirely at one with my hon. friend in his desire that there should be no confusion as to the definitions of temporary and permanent pasture. I confess I do not altogether share the fears of my hon. friend that there would be any difficulty on the part of an arbitrator as to what constitutes temporary pasture and what constitutes permanent pasture. On the other hand it is possible that in Scotland and in some parts of England where permanent pasture is almost unknown there may be some doubt in the mind of an arbitrator, but my hon. friend will, I am sure, see that the words he suggests would not meet such a case. With reference to taking a hay crop off, I think it would be a hardship if in a dry summer a farmer found himself forbidden from taking hay from his sainfoin under the penalty of being deprived of getting compensation for an agricultural operation which would otherwise entitle him to it. If there is any doubt whatever in the definition as to what is permanent and what is temporary pasture I will take care on behalf of the Government to see that in another place the words are, if necessary, made clear.

MR. HUMPHREYS-OWEN (Montgomeryshire): I should like to direct the attention of the right hon. Gentleman to another matter, and that is the limit of three years. It is within my own knowledge that temporary pasture is frequently allowed to run on for more than three years, at all events in the part of the country with which I am best acquainted. I hope, therefore, the right hon. Gentleman will consider the matter very carefully before he adopts the apparently narrow limit of three years. I speak with personal knowledge of the subject, because it has been, within my own personal experience, a matter of discussion among agriculturists.

*MR. LOYD (Berkshire, Abingdon): In my own constituency there is a little fear that some hardship may arise out of

this question of temporary and permanent pasture. A certain amount of pasture for which no consent has been obtained may be laid down, and under this Act no claim for compensation for it can arise, and the remedy of the tenant if the landlord refuses to take it off his hands at a valuation at the termination of the tenancy is to take a white crop off before the tenancy is concluded. There is a feeling among farmers in the country—derived, no doubt, from reading text-books and other works on the law of agriculture—that permanent pasture depends on the time the pasture has been laid down. I have often seen these statements myself, and I know how likely they are to create that impression, not without reason, on the minds of farmers. A farmer is afraid, having laid down pasture without obtaining the previous consent of the landlord, that it may have remained down too long to be lawfully ploughed up again, and that he will lose all claim to compensation by not having obtained consent and also lose the right to plough it up because it has become permanent pasture within the meaning of his covenant not to plough up permanent pasture by lapse of time. If my right hon. friend will consider the matter, I think he will see that it is a question well worthy of his consideration.

*MR. LONG: I do not think that the difficulties to which my hon. friend refers are likely to arise. I will examine into the matter, and if I find there is any necessity to make such a provision, I will take care that words are introduced to carry out the object the House has in view—namely, that there should be no confusion whatever as between temporary and permanent pasture.

*MR. SHAW-STEWART: I have every reason to be perfectly satisfied with the undertaking of my right hon. friend, and I will ask leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

MR. HEYWOOD JOHNSTONE said the Amendment he desired to move was one which followed the existing state of the law as far as possible. He should like, in the first place, to clear the air by saying that the Amendment did not ask that the arbitrator should give his reasons. He did not suggest that, and he did not wish it. He was thoroughly in agreement with the good old maxim that the wisest judge or the most competent arbitrator gave no reasons whatever for his decision, and therefore he wished to state that it was not his desire, in moving the Amendment, that the arbitrator should be compelled to give his reasons. It had also been suggested that the effect of the Amendment would be to facilitate appeals. He did not desire to facilitate appeals, and he thought it was very desirable that the procedure under the Act should be so simple and precise as to discourage rather than encourage appeals. There would be an appeal as the Bill stood on questions of law, and the effect of the Amendment, if accepted, would not be to facilitate or increase the number of appeals. There could be no appeal on questions of amount which had been once referred to an arbitrator, and that would be the principal part of the work under the Act. There might possibly be an appeal on a question of fact—as, for instance, if an arbitrator awarded a sum in respect of a matter which was not in the original claim; but that would be a case quite apart from the Amendment. His object in moving the Amendment was that the incoming tenant or the landlord might know exactly what it was he was paying compensation for. Was it unreasonable or unnatural that the landlord or the tenant should like to know what he was paying for under the several items which might make up a very considerable award? It had been stated that in commercial cases referred to an arbitrator the award was given in the shape of a lump sum, and no details were given. He did not think that that was an analogous case at all, because in such cases the arbitration took place after the parties had come into a court of law. At all the events, the courts were open to them, and any person resorting to the courts as plaintiff was subject to the liability of having to give particulars of his claim. As regards the cases which would be dealt with by the Amendment, the parties were not able to enter the ordinary courts of law, but would have to go straight to arbitration. Therefore these cases were widely different from commercial cases, in which arbitra-

tion was voluntary. As the Bill stood not only might the tenant make a claim, but the landlord might make a counter claim, and yet there was nothing to compel or induce the arbitrator even to show two lump sums, one to be awarded to the landlord and the other to the tenant. It would be perfectly possible in such a case for the arbitrator to strike a balance and award a lump sum, without giving the slightest indication to either of the parties as to how it was arrived at. He would ask the House to consider a further argument. The tenant was to be put into a position to claim compensation for improvements mentioned in the first schedule of the Bill. The schedule itself was divided into three parts, which were sub-divided into thirty-four different items. There were fifteen items in Part I., for any of which a tenant might make a claim for compensation. It was not reasonable to suppose a tenant would make a claim under every one of these heads, but he might very well make a claim for the enlargement or alteration of buildings, for the laying down of permanent pasture, for road making, and for embanking. Such ordinary improvements might very well be included in a claim for compensation, and was it unreasonable to ask the arbitrator to state in making his award how much he gave in respect of the enlargement or alteration of buildings, how much for permanent pasture, how much for road making, and how much for embanking? He thought it only fair and reasonable that the incoming tenant or the landlord should know what he had to pay under each item. Again, in Part II., in addition to the matters to which the attention of the House had been already directed, there could be five further claims. Drainage was a very important and expensive matter, and the man who wanted to keep his estate books properly might very reasonably ask the arbitrator to state what part of an award represented drainage. There were fourteen different heads of improvements under Part III. which were in a somewhat different position, because neither consent nor notice was required. They might be carried out by the tenant on his own motion without the knowledge of the landlord, and the claim for them at the expiration of the tenancy might be the first time they were brought to the landlord's attention. Such improvements included artificial manures, laying down permanent pasture, food stuffs, and fertilisers, and was it unreasonable to ask what amount had been awarded in respect of these different items? If the award was made in a lump sum it must be made up of items. He did not ask for the number of years purchase, but the arbitrator must have the items from which the grand total of the award was made up, and he asked that that should be specified. That laid no particular burden upon the arbitrator. He asked for nothing which the arbitrator had not before his mind to make the award satisfactory to himself, having regard to the interests of the person who had to pay and the person who had to receive. He must know what he had given compensation for, and how much he gave in respect of each item. It was in the interest of the arbitrator also, because nothing would clear his mind more than the fact that his award had to be made up of certain items, and that he must have the details and the amount of each particular item making it up. Nothing helped a man more in a case of that sort than to know that he had to deal with definite figures which he must obtain for himself. It would, moreover, give confidence to the awards of the arbitrator, because each party would be able to go through the awards and test them, and it was greatly to the interest of all concerned that the awards should be looked at in that way, and nothing would be more likely than such a thing to popularise the Act in the country. He desired also to call attention to the fact that the law used to be far more drastic than he now asked that it should be made. For the last twenty years the law had been that the award should not give a sum generally for compensation, but should, as far as possible, specify the items upon which compensation was awarded. That was much more drastic than his proposal, and he had never heard any complaint made with regard to the working of that law. He therefore felt that he might fairly ask the House to accept the Amendment he proposed.

Amendment proposed—

"In page 8, to insert, as a new paragraph, before paragraph (10)—

"'(10) The award shall, so far as possible, specify the several improvements, acts, or things in respect of which compensation is awarded, and the sum awarded in respect of each.'"—(*Mr. Heywood Johnstone.*)

Question proposed, "That those words be there inserted."

*MR. LONG said the object the Government had in introducing the Bill was to further the recommendations of the Royal Commission; one of the recommendations was that the award of the arbitrator should be final, but the Government thought it right to vary that recommendation by giving a right of appeal in regard to matters of law; but they also sought to avoid the expense and difficulty attendant on a detailed form of award, and the expense and delay attendant on litigation which invariably arose on an appeal from an award to a court of law. In earlier proposals made by the hon. Gentleman to amend the Government proposal there appeared to be a risk of litigation, and an Amendment which might give rise to litigation was one the Government must always strenuously oppose, because one of the advantages of the Bill was to make the award of the arbitrator final. The hon. Gentleman had put the case fairly to the House, and it would now be necessary to detail the reasons why the Government were not prepared to accept the Amendment. There were a number of suggestions dealing with the same subject but not in exactly the same way, and the course the Government proposed to take was to accept the Amendment standing next in the name of the noble Lord the Member for Kensington, the Amendment of the hon. Member for North Hampshire, which proposed to limit the time in which payment was to be made, and also that of the hon. Member for Shropshire, which imposed upon the Board of Agriculture the obligation of providing a compulsory form to be used by the arbitrators in making their award. He accepted the general desires which had been expressed by the hon. Member for Horsham, that there should be such a statement by the arbitrator as would enable the parties, if they so desired, to know what the grounds were upon which the award was given. He did not think the duty should be made obligatory on the arbitrator unless the parties desired it, nor did he at the moment think it desirable to suggest the form that the declaration should take, but it would endeavour to secure that the arbitrators should have a simple way of giving their awards, and at the same time there should be no risk of their being upset upon a technical ground. He hoped that would meet the views of the hon. Member for Horsham, and perhaps he would now withdraw his Amendment, so that a single proposal might be brought before the House.

Amendment, by leave, withdrawn.

Amendment proposed—

"In page 8, line 21, at the beginning of paragraph (10), to insert the words, 'The arbitrator shall on the application of either party specify the amount awarded in respect of any particular improvement, and."—(*Earl Percy.*)

Question proposed, "That those words be there inserted."

MR. PERKS asked whether the application had to be made during the course of the arbitration or after the award had been made.

MR. HEYWOOD JOHNSTONE said he did not know w ether the right hon. Gentleman would accept an Amendment to add after the word "improvement" the words, "or improvements." It would not alter the substance of the clause, but would have a very considerable effect upon the effectiveness of it.

MR. HEDDERWICK desired to congratulate the right hon. Gentleman on the wisdom and discretion he had shown in accepting the Amendment. The object of the right hon. Gentleman was to facilitate proceedings as much as possible, to avoid litigation, and to make the whole course of the Act, when the Bill became an Act, as inexpensive as possible. There was a great deal of force in the argument urged upon the Amendment just withdrawn, because, if the arbitrator was not to specify, or did not specify upon application, the items upon which his award was made, it was quite clear that the parties might be induced, where the sum of the award was large, to embark in expensive litigation in the hope that part of that sum had been awarded wrongly by the arbitrator under the first schedule. Had the award been final, as was pro-

posed by the Royal Commission, there would have been an end of the matter, but the right to appeal had been reserved on a point of law, and there were no fewer than three points of law in the first schedule which might be raised by either party in the hope of discovering a mistake in the award. He thought the right hon. Gentleman had shown a wise discretion in accepting the Amendment of the noble Lord.

*MR. LONG said it was clear that the arbitrator could not listen to an application for details until after the award was made. The award could not be delivered until the amount was fixed. With regard to the next Amendment of the hon. Member for Horsham, he did not think it would have any effect.

MR. HUMPHREYS-OWEN pointed out that the arbitrators before whom these cases would come would be men unaccustomed to legal documents, and that they might be upset upon purely technical points.

MR. RADCLIFFE COOKE (Hereford) said the words suggested by the hon. Member for Horsham made the matter a little more clear than at present, and he hoped the Amendment would be accepted. With regard to the application to be made to the arbitrator, the correct thing would be to make the application when the arbitration took place. It was extremely undesirable that a hard-and-fast rule should be made, and after the award had been taken up the parties ought to be allowed to refer back to the arbitrator, in order that he should specify how the award was arrived at.

COMMANDER BETHELL joined in appealing to the right hon. Gentleman to agree to the addition, after the word "improvement" of the words "or improvements."

SIR ROBERT FINLAY said the Interpretation Act of 1889 provided words which covered this clause, but as the additional words did no harm the Government were prepared to accept them.

Amendment amended, by inserting after the word "improvement," the words "or improvements."

Words, as amended, inserted.

Other Amendments made.

Bill to be read the third time upon Monday next.

HOUSING OF THE WORKING CLASSES ACT (1890) AMENDMENT BILL.

THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."

MR. STEADMAN (Tower Hamlets, Stepney): I rise not for the purpose of obstructing the Third Reading of this Bill, but for the purpose of informing the House that the Housing Committee of the London County Council or some of its members waited on the right hon. Gentleman the President of the Local Government Board in the form of a deputation, and the result of the interview was that the right hon. Gentleman could not see his way to adopt any of their recommendations as to the extension of the time for the repayment of loans to one hundred years. He said he thought that there was something to be said in favour of the suggestion that the land should be made an asset off the building, but I am sorry the right hon. Gentleman did not see his way to adopt it. It is quite true that he adopted one suggestion in that regard, but that will not materially alter the present condition; it is a mere manipulation of figures—taking a penny out of one pocket and putting it into another. I quite admit that what was in the Bill as it was originally introduced was good, but the right hon. Gentleman assumes, because he is going to enable municipalities to purchase land outside their own boundaries, that that is going to solve the housing problem. He might just as well say, "We enable you by this Bill to purchase all the land in England if you desire so to do, and you can have workmen's trains, cheap trams, light railways,

etc., to carry the workman from his employment to his home." I speak upon this question not from a theoretical but from a practical point of view and the workman's point of view, having lived the whole of my life among the workmen, and knowing the social conditions under which they live. And I want to know what is the right hon. Gentleman going to do with the half a million workmen living in the County of London to-day, whose average wages do not exceed 15s. a week. Is it possible—build as many houses as you like outside the County of London—for those men to remove their goods and chattels, and pay fares to and from their employment, when they are fortunate enough to have any, out of such a scanty wage? There is another point with reference to working men residing outside the county—men occupying the same position as myself when I was at work. I was a riverside worker, and I had to be at my employment at six o'clock in the morning. Does the right hon. Gentleman assume, even if I could get a house outside the county that I could get into, that I should live in a place which would entail upon me the hardship of having to get up at four o'clock in the morning in order to get to my employment at six? There are thousands of people in that position, and therefore, though the county council buy as much land as they please outside the county and build as much as they like, there will always be the same demand as now for houses inside the county. Go east to Walthamstow, Upton Park, and other places, and you will find that private enterprise has built hundreds of houses outside the county, and the working man who has not to get to his employment until eight or nine o'clock in the morning has been for years availing himself of the advantages offered by that private enterprise, and has moved into the suburbs. In twelve years in Stepney, where I reside, half the population have removed to the suburbs, and in consequence of the demand for accommodation the landlords there have increased their rents. While I am prepared to accept the advantage that we, as a municipality, shall have under this Bill, I say it will never solve the housing problem. I am sorry to say that in my opinion the Bill will pass its Third Reading in a far worse form than when it was originally introduced, because the right hon. Gentleman has accepted an Amendment moved by the hon. Member for Chelsea which is going to enable municipalities to buy land and lease it, if they think fit, to the jerry builder, and any other speculator who comes along. That is the most dangerous principle that could be inserted in the Bill. I am not a supporter of Her Majesty's Government, I have been a Radical all my life; but, at the same time, I may say there is a right hon. Gentleman in this House who, during the short period I have been a Member, I have learned most highly to respect. I allude to the First Lord of the Treasury. Hon. Gentlemen laugh, and my respect may not be worth much to him, but he is above all things a gentleman, and a workman can appreciate a gentleman when he meets with one; at the same time I notice that the right hon. Gentleman has a charming manner of avoiding arguments put forward on this side of the House. I well recollect on the Second Reading of the London Government Bill of last year how in winding up the debate he taunted Members on this side of the House for putting forward as he considered no remedy, and we have had a repetition of that attitude on the Second Reading of this Housing Bill. Again he taunts us with criticising a measure and putting forward no remedies, and waives away as with a magician's wand all arguments adduced from this side of the House upon this subject. He takes credit to himself and to the Government for the fact that all these Bills which have been introduced and have become law have been passed by Conservative Governments I do not deny it. [Cheers.] Yes, but stop a moment; I do not know whether hon. Gentlemen who cheer that remark have ever visited a fair; if they have, they have seen shows where the audience is admitted for a penny or twopence, and on the platform outside which the showman exposes the whole of his wares. The man outside is induced to go in, and thinks he is going to see a good show, but finds after all that the show for which he has paid is not so good as that which he saw outside for nothing. And it is the same thing with a Tory Government so far as we are concerned. Their labels are good. The Bills of past years and the Bill of this year are labelled all right, but so far as the contents of the Bill are concerned, I say, in the interests of my class, they are absolutely

worthless. That has been proved; if the Bill of 1890 had solved this problem we should not be in the fix in which we are to-day, a difficulty ten thousand times worse than the question that the Bills of ten years ago were supposed to have solved. That proves that these Bills are worthless. [A VOICE: Why not vote against it?] Because there may be a little good in it. If I am hard up and want a shilling and somebody offers me a penny, I take it because it is better than nothing at all, although it would not do me the good that a shilling would. The reason why these Bills are worthless is because the Government do not tackle the question from the proper point. It is really a land question. What is required is a fair rent court. But the First Lord of the Treasury denounced the establishment of a fair rent court. The right hon. Gentleman the President of the Local Government Board must know that there are what are known as assessment committees. They assess the rateable value of houses; when the assessment goes up the tenants have a right to appeal and in most cases the assessment is lowered. In the case of the gas companies also the Government says they shall not go above a certain price per 1,000 feet for gas. That is a principle adopted to protect the consumer from the monopoly, and it is a good one for that reason. We want now protection for the workpeople against the slum owners. We have no fair rent court, and the slum owner goes on in his own sweet way, and the municipalities who want to clear him away have to compensate him heavily. We get no extension of time, and we do not get the land as an asset off the building. The day will come when this evil will have so spread that the Government then in power will have to take up the matter from the proper standpoint. The workman is often condemned, and if he has a bad quality there are thousands ready to pick him to pieces; but they forget that for the one bad quality he has ninety-nine good qualities. How can anybody expect the workman of to-day to be a bright and good citizen, living as he does in the slums, where the very atmosphere which he breathes is evil, and when you take into consideration his miserable surroundings? A workman may be crushed, heart-sore, sick and sorry, and walking the streets seeking employment, but a good Samaritan comes along and takes him by the hand and gives him a lift and alters his entire surroundings. What we have to do, if the Government want to turn out bright citizens, is to level up the employees more nearly to themselves, instead of keeping them down as they do to-day. Put them into decent dwellings, so as to improve their social conditions, because while they remain in the slums they will remain as they are. Alter the surroundings of the working man and you alter his disposition. The workmen are accused of spending their time in public-houses. Visit the slums to-day, and it will be found there are more public-houses there than in any other part. Is it any wonder that a man who lives and sleeps with his wife and family in one room, where everything has to be done, if he has a penny in his pocket should be tempted to spend a few hours in the glare and glitter of a public-house, rather than go to the miserable hovel he calls home? In conclusion, I certainly trust that sooner or later some Government will deal with this question in a practical manner. The reason the present Government are unable to deal with it is because they are above all the upholders of the sacred rights of property. But when those rights have gone to the extent that they have to-day in London, extortionate rents on the one hand and untold misery on the other, it is time for the Government to step in and say they have gone too far, and that they must be attacked and destroyed in order to save the nation.

*MR. COHEN (Islington, E.): The hon. Gentleman opposite has come forward on the present occasion because this Bill does not deal with the housing problem in a particular manner. He complains that the measure before us does not solve the housing problem. I have followed the debate through the various stages of this Bill studiously, and I am not aware that the right hon. Gentleman the President of the Local Government Board, still less the Leader of the House, have ever claimed that it did solve the problem, but I venture to claim for it that it is a most practical and solid contribution towards the solution of the most difficult problem that the House has had to face for ten years, and I venture to tell the hon. Member that the Utopian Government which he hopes is going to solve the question will never succeed in doing so

by one Act of Parliament alone. It can only be done by gradual legislation. It could never be done by one Bill, because in the course of one session the House would never get through more than six or seven clauses of the Bill. My hon. friend referred to the efforts of the London County Council. It has been my pleasure to be a member of the body long before my hon. friend joined us, and I should be the last to say a word against it; but as for their efforts they have not only failed to find a solution, but absolutely and hopelessly failed to offer even any practical contribution towards the solution; they have suggested putting obligations on the railway companies to run cheap trains to carry people who do not exist to places where houses have not been erected, and it is in that way that many well-meaning people have approached the solution of this difficult question. Not being able to carry out their Utopian and ideal schemes, their policy has resulted in nothing being done, and although some of us do regret that this Bill does not go a little further, we nevertheless consider that it contains a substantial and concrete contribution to the solution of this problem. I believe we shall not only have a diminution of the pressure which exists at the present moment, but a cessation of the rapacity of the slum landlord, with whom nobody has any sympathy and to whom we want to put an end. You cannot do away with him while the tenants are compelled to pay the rent he asks, but if you erect cheaper houses elsewhere the trade of the slum landlord will disappear. I earnestly hope that my hon. friend, with whom I seldom have the honour to agree, will take some profit from the experience of this effort, and will see that by tackling this problem systematically and gradually we shall offer a substantial contribution to the solution of a problem which is almost the plague of London, which is acknowledged to be pressing, but which some of our philanthropists have failed to solve, because they preferred to have nothing if they could not get everything. I desire to thank my right hon. friend for the Bill before the House.

*MR. ROBSON (South Shields): I think the hon. Gentleman who has just addressed the House, although we recognise in him one who, as much as ourselves, has the welfare of the masses at heart, entirely misses the force of the argument addressed against the Bill by the hon. Member for Stepney. The Government is perfectly right to proceed by steps; but all that we asked, and ask still, is that the step should be a real, genuine, and efficient step—in fact, that it should be a step forward; and our complaint against the Bill is that it is nothing of the kind. Instead of being a real and effective step forward towards the solution of the problem, it is a title and a name, and nothing more. Now that we have the Bill before us in its final form we are better able to appreciate how far we were justified on this side of the House when we pointed out that the limited scope of the Bill would be fatal to its efficiency. Ministers said when the Bill was before Committee that they were anxious to hear and accept all the Amendments that might make the Bill more workable or make it more acceptable to the local authorities invited to adopt it. That took the edge off a good deal of the criticism on the Second Reading; but it has, happily, no place on this stage of the Bill. The Committee has done its best, and the right hon. Gentleman in charge of the Bill has, with great courtesy and ability, done his best to make the Bill what it is. But according to us it remains what it was on the Second Reading—an absolutely futile measure. I say nothing against the three clauses added to the Bill. My hon. friend the Member for Stepney has made some pungent and just criticism on the clause added by the hon. Member for Chelsea. I do not stop to criticise that at all. If anything I am disposed to approve of it. The three minor clauses added to the Bill must make it a little more effective; but they do not touch the objection we urged on the Second Reading, and urge still—namely, that the Bill as it stands is not acceptable to the local authorities, and is not likely to be adopted by them. Speaking in a general sense, it will be wholly useless for the purpose for which it is intended. There are some exceptional cases, such as the offer of land made by my hon. friend the Member for Whitechapel to the County Council of London, where the Bill may be of service; but, speaking generally, I venture to say that it will be of no service at all. It is put forward as being a measure to enable local authorities to relieve their slums and congested areas by transferring the population out-

side. That is an excellent object. It is an object in which, I am quite certain, all those on this side of the House are extremely desirous to assist the Ministry to the utmost of their ability, but it is idle to suppose that this can be carried into effect by simply telling the local authorities that they may adopt this Bill if they please. The local authorities are conscious, and justly conscious, of the great number of difficulties in their way. These difficulties ought to be as obvious to the central authority as to the local authorities. For instance, there is the question of communication, raised on the Second Reading, between the overcrowded district and the new settlement. There is the question of jurisdiction—namely, whether the new settlement shall be placed under the jurisdiction of the district founding it or the district in which it is placed. All these are difficulties which at once occur to the mind of any local authority desirous of considering this Bill; but all these questions have been excluded—I say deliberately excluded—by the Government themselves. Without treating the Bill as one covering the whole ground, but simply as a step, each of these matters is essential in considering the efficiency of that step; but the Government have prevented us considering it entirely, because they have chosen a title so restrictive, limited as it is to a mere fraction of another Act, that any proposal to make the Bill workable and acceptable is necessarily beyond its scope, and therefore cannot be considered by the House at all. That is the complaint we make about the Bill. In the last clause there is a statement to the effect that it may be cited as the Housing of the Working Classes Act, 1900. That title meets with the approval of the hon. Member for East Islington. That is a platform title, and I daresay we shall see it on electioneering leaflets in time, but it is not the title of the Bill. It is not the title which is placed at the head of the Bill, and decides whether any particular proposal is or is not within the scope of the Bill. We desired to enlarge its scope on the Second Reading, and it is very important to the House and the country to see how the Government met that suggestion, because that marks the difference—if this be a party question at all—between the two parties in regard to the Bill. What did we propose on the Second Reading? We pointed out—and I have not heard anyone seriously controvert the proposition—that you could never get the local authorities to deport their population to districts outside their areas unless you give them some guarantee as to cheap communication between the old district and the new settlement. That is a vital question to be considered in approaching this Bill. How did the Government approach it? The right hon. Gentleman the First Lord of the Treasury rose at the end of the debate, and, dealing with the proposal in the Amendment I had the honour to move, he made a statement I listened to with rather more astonishment than I sometimes feel when I hear statements made in this House. He did not take the trouble to controvert the proposition that cheap train communication between the overcrowded district and the new settlement was essential; but he said, speaking on the advice he received from the Department, that the Cheap Trains Act of 1883 already provided whatever was fair and necessary in the way of communication between the overcrowded district and the proposed new settlement. The right hon. Gentleman is entirely mistaken. I do not wish to reproach him for the mistake. He is obliged to make statements upon the information he receives, but this I will venture to conjecture. I will venture to say that the Law Officers never told him that the Cheap Trains Act was sufficient for getting communication as between the overcrowded district and the proposed new settlement. Let me remind the House of what my proposal was, and how the failure to meet it was fatal to the Bill. I pointed out that the Cheap Trains Act of 1883 is applicable only as between already settled districts. The Cheap Trains Act is not intended to apply to a measure of this kind at all. It is only intended to apply where, as between two or more districts there is already an existing deficiency in the supply of cheap train facilities to meet the already existing demand. That is the Cheap Trains Act. In the case of this Bill, any local authority proposing to adopt it finds itself faced with this dilemma: On the one hand, it cannot avail itself of the Cheap Trains Act of 1883 until the new district is fully settled; but, on the other hand, it cannot settle that new district until it is able to promise to the popula-

tion going there that they shall meet with proper facilities for cheap train communication. In order to remove that dilemma, I ventured to ask the Government to extend the scope of their Bill by adopting the proposal which I put before the House, and which met with approval from a very substantial number of hon. Members opposite. My proposal was to enable the municipality to go before the Railway Commissioners or the Board of Trade, and to ask for an Order under the Cheap Trains Act in advance of the population—that is to say, an Order to anticipate the settlement of the population, so that a cheap train service should be laid on for the people who go there either contemporaneously with the settlement of the people or in advance of the people. That is not possible under the existing Act, but it seems to me so small an extension that was asked that the Government might very well have made it. When the First Lord of the Treasury said that the already existing law was adequate for the purpose he made a very serious mistake. Mark the significance of such a mistake on the part of the right hon. Gentleman. He is in this House the head of the Government, and he showed with regard to a paramount necessity in order to make this Bill efficient, that he and his colleagues were wholly uninformed or misinformed as to the existing state of the law. It shows that the right hon. Gentleman and his colleagues have not considered this question as a whole, or else they would at once have been struck, as anybody is who approaches the question, that the first difficulty standing in the way is, How are you to deal with the question of communication? I must say that although the First Lord of the Treasury spoke last in the debate on the Second Reading he was, I believe, the first to import into that debate anything in the nature of party recrimination, for he certainly dealt in that wholesale. One is accustomed to it. I suppose it is a staple Parliamentary product, but I confess I was somewhat surprised that he should seek to import party recrimination into the debate while unconsciously revealing that neither he nor his colleagues had considered the initial difficulty of the question. I pass to another point which has a most important bearing on the application of the Bill. This Bill is an invitation or suggestion to the local authorities that they should part with some of their population, with the result, of course, that they would thereby diminish their rateable value. At the same time as they are called upon to part with some of their population and to diminish their rateable value they are invited to assume a somewhat substantial financial risk. They are also to be under the obligation of incurring all the trouble and anxiety which is involved in the formation of a new settlement. I tell the House as a practical man that these are all substantial and formidable impediments in the way of the adoption of this Bill. A local authority does not wish to see its population diminish, but it is apprehensive, with perhaps much better reason, of any diminution of the rateable value on which they rely for the obligations they have to meet. At the very time that they are called upon to diminish their population and their rateable value they are also called upon by this Bill to assume a new and indefinite liability in the purchase and laying out of a new building estate. These considerations would make a corporation hesitate before it undertook to carry out a scheme for the erection of workmen's dwellings. If they had been able to go to the ratepayers and say that they saw no risk attaching to such a scheme, because they would buy land at the agricultural value and give it suburban value by means of the Cheap Trains Act, that itself would practically have removed the financial risk of adopting this measure, but in the absence of any such provision the local authorities would be extremely chary before they ran the financial risk which would undoubtedly be involved, especially when it means that under existing circumstances the better part of their population will be removed and the more casual class remain. A local authority in considering whether it should apply the Act will see that if they apply the Act the ratepayers they will lose will be by no means the least remunerative class. That is an additional reason why they should hesitate to apply the Act. This Bill as it stands is opposed to the financial interests of the local authorities who are invited to adopt it. [An HON. MEMBER: No, no!] An hon. Member says "No, no!" I have no doubt that in time he will be able to deal with the arguments I address to the House, but he

will see that to invite a local authority to diminish its population and its rateable value, and to undertake a new liability without any guarantee whatever of cheap communication between the new settlement and the old district, is undoubtedly opposed to the financial interest of the local authority. I venture to say that the conflict between those corporate financial interests and the philanthropic motives by which the Bill is inspired is wholly unnecessary; for if the Government had consented to enlarge the scope of their Bill so as to admit a clause enabling the Local Government Board, upon representation from the local authority concerned, to place the new settlement under the jurisdiction of the old district, the local authorities, seeing that they would then be exchanging an artificial, unhealthy rateable value in an overcrowded district for a healthy rateable value in a new and growing district, would have been stimulated to deal with this overcrowding question drastically. If a clause with this object were embodied in the Bill, it would turn what is now a futile measure into a great measure of social reform. As to compelling the local authority to exercise this power in respect of overcrowding, as in the case of insanitary dwellings—to talk of such a thing is to talk absolute nonsense. I hope that the debates on the Bill may be of more use than the Bill itself, for if it has thereby been made clear what is the real difficulty standing in the way of local authorities they will have done some service. As the Bill stands, I see no reason why we should vote against it. We have not the slightest objection to the addition by the Government of ornamental titles to the Statute-book, if that is the desire of the Government. We venture, however, to make our protest. It may be that the right hon. gentleman in charge of the Bill, when he sees that it is inoperative at a later stage, may bring in a measure to make it operative. When he does that he may depend upon it that he will meet with no inconsiderable support from Members on this side of the House.

*MR. WYLIE (Dumbartonshire): Perhaps I may be allowed to say one or two words in reference to the question of communication, to which the hon. Member for South Shields has referred as being of vital and paramount importance, and also in support of the Third Reading of this measure. Much of the success of the Bill will depend upon the travelling facilities afforded to the working classes. Some hon. Members opposite have expressed the conviction that the working classes, and especially the labouring classes, will not be able to afford the fares necessary for conveying them to and from the urban districts. The county which I represent has probably the cheapest service of workmen's trains in this or, as far as I know, any other country, and it affords a very good illustration of what can be done by energetic and intelligent railway enterprise. In Dumbartonshire hundreds of workmen travel to and from their work every day. For this they are charged 1s. per week, or 2d. per day for a double journey of about twenty-four miles, which is equal to 1d. per twelve miles of comfortable railway travelling. The trains run at convenient hours in the morning, and are waiting for the men when their work is finished at night. Owing to these great facilities hundreds of working men are enabled to enjoy the advantages of much cheaper and better situated houses than would be possible in the manufacturing districts in which they are employed. A large percentage of these working men are labourers—not perhaps on the small wages of 10s. or 12s. per week, referred to by the hon. Member for Stepney, but receiving 16s. or 20s. per week. A great many of this class avail themselves of these admirable facilities, because they find it more advantageous to pay the 1s. per week in fares than to pay the highly increased expenses in manufacturing districts. I can assure the House that these cheap rates pay the railway companies. When the competing company which secured these advantages was being promoted in Parliament it was stated before the Committee of the House of Commons that the then sole existing company, the North British, which was conveying workmen not at such a low rate as that to which I referred, but still at a very cheap rate—about eight miles per day—was earning by its service of workmen's trains at the rate of 10s. 4d. per train mile, while the average over their whole system was only at the rate of 3s. 9d. However this may be, I can assure the House on undoubted authority that the very low

rate does pay the railway company, and I think this is a very good object-lesson to railway directors, because it shows that if they are willing to encourage large numbers of working men to travel morning and evening by the introduction of low fares and convenient trains it will be advantageous to their companies. It is also a very good illustration of what can be done under existing conditions and by one mode of travelling only. But the facilities for travelling are rapidly increasing. New modes are being invented; old methods are being improved. The Lord Provost of Glasgow told me that by good management of the tramways they are now able to carry ordinary passengers one and a half miles for a penny, which they expect soon to be able to increase to two miles; whilst workmen they carry at the minimum rate of three miles for a penny, and that, too, will probably soon be improved upon. Thousands of tradesmen now travel to and from their work by means of bicycles, and I believe before very long thousands more will be conveyed by motor cars. Under this aspect of the question and inasmuch as I believe this measure will probably take out of the hands of land speculators and jerry builders much of the work which has hitherto been very badly performed, I think the Bill opens up a brighter future for the working classes and for the teeming masses in our large cities and towns who are cooped up in the most unhealthy manner in respect of their homes and their surroundings, upon which so much of their physical and moral welfare depends. I think we may congratulate the right hon. Gentleman the President of the Local Government Board on having introduced this unpretentious but very useful measure, and on the able and conciliatory manner in which he has conducted it through its various stages. I give my cordial support to the third reading.

*Mr. JONATHAN SAMUEL (Stockton): When the Second Reading of this Bill was before the House I ventured to offer a few observations upon its shortcomings, and I desire to do the same to-night. Although the measure has passed through various stages it is still very defective, and in my opinion will be of no practical use to the corporations throughout the country. The practical and eloquent speech of the hon. Member for Stepney shows that what is wanted in reference to the housing of the working classes is not a Bill enabling local authorities to do that which they never will do, namely—to invest their money and run the risk of speculative property outside their boundaries, but some practical measure which shall give to the local authorities power to deal with the slum property which exists in every town. The hon. Member for Stepney, with his practical experience, has shown that this measure cannot deal with the slum property. An argument used by the hon. Member for East Islington about the London County Council desiring to have facilities for cheap railway fares outside the present area admits of that argument for this reason. The London County Council have found from experience that they cannot go on pulling down slum property in London under Part 1 of the Act of 1890 without an enormous cost to the rates. I have said before there is a possibility of this Bill being applied to London. It may be; but I cannot understand that the County Council should go on spending money outside its own area to provide houses for the working classes living in the inner parts of this great city. What I do say is, that unless a measure is brought in by this or some other Government altering the existing law you will never deal with the question of the housing of the poor in the manner in which it should be dealt with—namely, by doing away with slum property. I have had some experience in this matter. In the town which I have the honour to represent we have a slum property, and I have sat on a Committee for a considerable time trying to effect some improvement in this property, but it is impossible under the complicated Sections 6, 8, and 9, of the Act of 1890, for any local authority to deal with such slum property except at an enormous cost to the rates. I heard the speech on the Second Reading of the President of the Local Government Board. The right hon. Gentleman pictured in glowing terms the powers which exist under the Act of 1890; he showed what could be done and how to do it. I ask him, has he had any experience on any local authority in dealing with this slum property? That is a practical question, because it is impossible to carry out this work if the

interests of existing ratepayers are to be safeguarded. I should like to call attention to how this Bill will apply to some of our large municipalities. The power under this Bill is to enable local authorities to purchase land outside their boundaries. Take Leeds. There the housing of the working classes is as difficult as in London, but there is no want of land. The area of Leeds is 21,552 acres; it is equal in area to the ten new boroughs on the north side of the Thames —Islington, Hampstead, St. Pancras, Marylebone, Paddington, Kensington, Hammersmith, Greater Westminster, Chelsea, and Fulham. What is the use of passing a measure to permit Leeds to buy land outside its own area when it has crying evils within its area that it cannot deal with because of the existing law? Then take Sheffield. Sheffield has 19,000 acres, and there the same difficult problem exists. Sheffield is also equal to ten of the new London boroughs; Liverpool is equal to eight; Birmingham, Nottingham, and Bristol are equal to five. Therefore there is plenty of land within these boroughs, but the councils will not go on spending money in costly schemes at the expense of the existing ratepayers. I do not wish to make this a party question, but it is no use citing the number of Bills the Conservatives have brought in. What we, as representatives of the local authorities, want are practical measures of a tangible character which can be put into force and at a cheap rate. I quite agree with the hon. Member for South Shields that you cannot get the small boroughs of 3,000, 4,000, or 5,000 acres to undertake to spend money outside their areas. They will not buy land for building at a cost of thousands of pounds, with the risk of a cost to the rates, unless they can get complete control and jurisdiction over that area. All the money now spent in our boroughs is for the purpose of inducing people to come into the boroughs, and not to send them outside. This measure simply permits the boroughs to buy land outside, and, therefore, there is no chance of it being put into effect. There is only one other matter to which I wish to refer, and that is in reference to the compensation question. At a meeting to-day of the municipal corporations there was a strong feeling expressed that it was unfair that corporations should have to compensate landowners to the extent of 10 per cent. beyond the valuation. The Government refused to accept an Amendment moved from this side of the House limiting that compensation, and I contend that if they really wished to make this measure practicable they should have accepted some of the important Amendments which would cheapen the cost in the event of the local authorities putting the Bill into operation. I hope the time will soon arrive when there will be a Government in power which will deal with this question in a manner which will be effective and a lasting boon to the community, and by which the matter will be settled for a great many years to come.

MR. JOHN BURNS (Battersea): I have not ventured to address the House on this Bill either at the Committee stage or on the Second Reading, and I rise to-night only to make one or two practical suggestions in addition to those which have been offered not alone from this, but also from the other side of the House. Before I deal with the points in which I am specially interested I want to say this: The country has been agitated during the last four or five years with the housing problem on its moral, social, and physical sides. In the village as in the town, and especially in London, we have hoped that the Government, face to face with this agitation, would bring forward a Bill grappling with the problem much better than this Bill does, and when the country hears, as it will hear, especially after the Bill has been in operation a year, that all this agitation and the sentimental articles in the papers, from *The Times* downwards, have resulted simply in this elementary measure, which goes only a little way on the right road, it will come to the conclusion that the Government's mountain has laboured and produced a ridiculous mouse. I venture to think that the Government, face to face with the need for better housing, face to face with the demand for wider powers on the part of local authorities, could have done better than they have done, even accepting the Bill as they originally brought it in. They might have accepted several Amendments from the hon. Member for South Shields, and they ought not to have refused some of the Amendments moved by the hon. Member for Stepney, with whose practical know-

ledge, sympathy, and speeches in regard to this question I entirely associate myself. But the Government have resolved to restrict this Bill to the simple question of allowing local authorities to go outside their municipal jusisdiction for housing purposes. That, on the face of it, seems a plausible, practical, and remedial thing to do, but when we know that this new power is circumscribed by the adoptive and optional character of the Bill, a considerable amount of the plausible benefit which we at first thought this Bill might confer is removed. My objection to the Bill is that it is optional in its adoption, and unless a local authority is compelled by the indignation of the inhabitants to adopt the Bill there will be very little improvement effected by this measure. The Bill is very limited in its scope, and in practice it will be found to apply to a very limited area. Unless the *personnel* of parish, district, and county councils is considerably altered, I do not expect to see rural elysiums cropping up in bricks and mortar for the ideal lodging of agricultural labourers. I am positively convinced that unless some of the landlords who dominate parish, district, and county councils are forced to abandon their hidebound objections to agricultural labourers being better housed, this Bill will be a dead letter in rural districts. The Bill and the speeches of the right hon. Gentleman ignore the salient fact that some of the worst slum-ridden districts in the provinces and in London are governed by the worst of slum-owners, who, on the local authorities who have to put this Act into operation, will do everything within their power to keep the poor people in the slums, because a bigger profit can be made out of them there than in a district two or three miles outside the City jurisdiction. This Bill will not force the slum-owner, who is also a parish, district, or county councillor, to depart from his own interest, and that will make against the extension of the Bill. There is no compulsion which the central authority can apply to the local authority which neglects its duty in regard to the housing of the poor, and the net effect of the measure spread over the next few years will be about as great in the rehousing of the poor as that of the Workmen's Dwellings Acquisition Bill of two years ago—it will be practically nil. Let me go a bit further. The Bill applies to very few local authorities, as the bulk of them do not want to go outside their own areas for land for housing purposes. Some of the worst slums are in districts which have not yet reached the maximum of their municipal expansion, and this Bill will not touch those places to any appreciable extent. In a word, with the exception of a few cities such as Sheffield and Birmingham, and perhaps Leeds to some extent, this Bill applies to London in the main. Let me deal with its application to London. Although this Bill mainly applies to London, its beneficial features will be absolutely inoperative unless the Government follow up this Bill by an immediate alteration—I would suggest the revocation—of the Standing Orders that prevent the London County Council, the housing authority, having that free hand in the extension of municipal electric traction which the County Council ought to enjoy. Unless by an alteration of the Standing Orders of this House the veto is removed by which the vestries prevent the London County Council going from the centre of London to the area outside where this Bill can apply, the measure so far as London is concerned for the next five years will be a dead letter. How do I prove that? Supposing the London County Council were to buy 100 acres at Mitcham for artisans' dwellings. Suppose further the Council, not being the road authority between Westminster and Mitcham, want to get the people who are congested at Westminster to the artisans' colonies which the right hon. Gentleman thinks under this Bill the Council will be able to erect at Mitcham. That thought of the right hon. Gentleman is ideal, it is optimistic, for the facts are these: Unless you make the London County Council, which is the tramway and housing authority, also the road authority, the respectable people of Wandsworth, who do not want the poor to come between the wind and their nobility, will veto any proposal the Council may make for electric traction through their area, with the result that the Bill will be hung up, the housing schemes suspended, and this measure will be waste-paper. I respectfully suggest to the House of Commons and to the President of the Local Government Board that if this Bill is to do any good—and it will do most good to London if anywhere—that good cannot be accomplished unless the road authority in London is also

the housing and the traction authority. If the veto of the vestries is not removed we shall have the respectable retired grocer of Balham, the respectable coal-merchant of Tooting, and the company-promoter who lives on the borders of Mitcham saying, "We do not want Mr. Chaplin's Bill; we do not want these colonies of workmen outside. But we will not object to it on the merits of the housing scheme. We will put up our friends on the local vestry to say that traction is not wanted in this neighbourhood; we will not pay the sum necessary to widen the streets." They will have no end of factitious and fictitious excuses, and the result will be that the Council will be unable to achieve the objects of this Bill. I agree with the remarks of the hon. Member for Stepney as to the effect of the environment of working men on their character, and the effect of better houses upon men, women, and children. I agree that Part I might have been amended, and Part II. could have been improved almost beyond recognition. This Bill could have been stiffened if the Government had desired it, because the House was ready to accept anything which the Government was willing to put forward. But, notwithstanding this, I still think that so far as London and many big cities are concerned the solution of the housing problem, to a great extent, will be found less in rehousing the dishoused poor in insanitary areas than it will be found in throwing the responsibility upon local authorities of providing cheap and rapid electric traction in order to distribute the poor themselves over a wider area than that congested area in which they now live. Dealing with this problem is like dealing with manure, which is no good in heaps, but is very beneficial spread over a lot of ground. I believe that relief to these congested districts will come to a great extent from cheap and rapid electric traction. The President of the Local Government Board must realise that, concurrently with his desire for this Bill to allow local authorities to deal with this problem outside their own area, there is growing up a strong objection to localities — and especially municipal authorities—getting quicker and better electric traction in their hands. If the right hon. Gentleman wants to help the housing of the poor he will have to take no notice of this spurious agitation against municipal trading in regard to electric traction. If he desires to deal effectively with this question he must take no notice of the gentlemen who have caused the two Houses of Parliament to institute a joint Committee, the object of which is to get electric traction in the hands of companies and monopolies, when, if it were placed in the hands of local or municipal authorities, with the necessary control over the roads, it would do more good in one year in the way of settling the housing problem than this Bill will do in nine or ten years. The hon. Member for Dumbartonshire made an admirable and excellent speech, but it had very little relevance to this Bill or to the housing problem. I think his speech would have been more appropriate when the Cheap Trains Bill was before the House. The hon. Member has stated that the railway companies in Scotland had been compelled to carry people twenty miles for twopence, and what is good enough for Dumbartonshire is good enough for London. [AN HON. MEMBER: It is done now in London.] Yes, I know that the Great Eastern Railway do it, but they have done it more to take colonies of workmen to help them to pay for their line. The Great Eastern Railway was then almost bankrupt, and they paid their dividends by giving cheap trains. But one swallow does not make a summer, and all the other railway companies do not do the same as the Great Eastern Railway have done. The Government did a great deal to prevent the success of this Bill when they asked their supporters to throw out the hon. Member for West Islington's Cheap Trains Bill, which was the necessary complement to any Housing Bill whether under Part I., Part II., or Part III. The President of the Local Government Board has given us the power to go outside, providing the local authorities are willing; but by the rejection of the Cheap Trains Bill the Government have denied the workmen, whom they expect to benefit, the opportunity of that cheap and rapid transit which ought to precede the passing of this Bill. What the Government have given with the left hand they have taken away with the right by not giving the facilities to compel railway companies to provide these cheap fares, which they ought to have done. I wish to say a word or two with regard to one portion of London in particular. I allude to Chelsea. If we

have to have landlords I would rather have a big landlord than a small one. The most objectionable sort of landlords I know are those who belong to the retired grocer class with religious proclivities, who have invested their money in bricks and mortar in which the poor live, and who now grind the faces of the poor. If I am to choose a good landlord, I would rather have a large one, and one of the best is Lord Cadogan, or the Duke of Westminster, or the Duke of Bedford. But what happens in these cases? Lord Cadogan has converted Chelsea during the last twenty years from being a working class district into a sort of South-Western Belgravia and a middle and upper class flatland. He has turned all the workmen out of Chelsea for the improvement and betterment of his property, and his dominion over Chelsea, benevolent though he may think it, has been a positive curse to the labourers and the artisans and the men who previously lived in Chelsea and near to their work. It seems to me that the day is not far distant when you will have to apply to the Dukes of Westminster and Bedford and Earl Cadogan, who are improving the poor off the face of this earth for the benefit of their property, the same provisions as are now applied to railway companies, and which you are now seeking to apply to the County Council, and which you impose upon the School Board when they pull down houses for the building of polytechnics, and thus displace the poor. You are going to segregate this vast city into parishes of the poor and parishes of the rich, which, from the point of view of housing, is a mistake, and from the point of view of social development will be a disaster. By this policy you are bringing about a division of the classes, which you have always pretended that you are anxious to avert, and thus you are bringing about in London one of the worst social characteristics that it is possible to conceive. I sincerely trust that my hint to my friend Earl Cadogan will be conveyed to him by his friends in the spirit it which it is given, and that we shall no longer see the Duke of Westminster and Earl Cadogan displacing the working class of Chelsea, and compelling them to go into portions of Fulham and into my constituency of Battersea. [An HON. MEMBER: But they are Radicals.] That is not so, for they are of the very poorest class, and the very poor are almost always more Tory than the rich; they are chloroformed by the publicans, and by beer and blankets, and they are the dependents of South African millionaires, who tell them that it is their business to support gentlemen who have made their money in Africa and who come over here touting for a coronet, while if they asked for such a thing in their own land they would be put in prison instead. This Bill brings no pressure to bear upon the rich landlord, nor upon a reluctant local authority. It does not deal with a reluctant district council dominated by a landlord. What remedy does it bring to the dock labourer and the casual worker in the East End of London? Why, none at all. My hon. friend the Member for Stepney asked for the establishment of a fair rent court, but that was refused. There are hundreds of foreigners who are exacting more money out of those who reside in small tenements in the East, and inflicting greater hardships upon the poor, than ever Isaac Gordon made out of his clients. This kind of thing has to be stopped, because if it is not stopped we shall see the beginning of such an agitation that I trust we never shall witness in the East End of London. The last thing I have to say is in regard to that infamous clause which provides that local authorities may buy land at the ratepayers' expense, and when the money has been captured, the landowners get on the district council and lease the land bought at the ratepayers' expense to traffickers in land, who will make a profit out of it without incurring the responsibility of purchase. That is a mischievous blot on this Bill. This measure was said to be brought in to help the costermonger, the dock labourer, and the poor men who had to labour about Covent Garden and Drury Lane, but it will not help them at all. They cannot go to live at Tooting, Richmond, or Kingston. This Bill is another instance of that vicious class of legislation which the Government have in more than one respect introduced. It is another instance of giving to him that hath and taking from him that hath not. It helps the clerk and the higher paid workman, who feel less the pressure of congestion than the stevedore, the waiter, and the footman in the West End. [An HON. MEMBER: It makes more room.] Yes; but

it is to such a very small extent, that is hardly worth the trouble of drafting a Bill to provide it. This measure does not grapple with the difficulty, and does not provide the remedy which some of us thought it would provide. It enables local authorities to go outside their areas to do what they have not the power to do inside. That is precisely what provincial districts do not want, and, so far as London is concerned, this provision is rendered useless by the fact that the London County Council will not be able to go out of their district unless this Standing Order is revoked. I wish to make a final suggestion. I wish to ask the right hon. Gentleman if he intends proceeding with the revocation of the Standing Order, and, if he cannot do that, will he promise to bring in a Bill next session to enable the county council to be the road as well as the housing authority? This Bill whispers housing reform to the ear and breaks it to the hope of every poor workman.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. CHAPLIN, Lincolnshire, Sleaford): The hon. Member for South Shields has complained that this Bill is a title and a name, and nothing more. He also says that every Amendment which would have made the Bill a reality has been excluded. I doubt very much whether the points raised by the hon. Member could have been inserted in the Bill even if its scope had been altered in the manner he suggested. Why did the hon. Member for South Shields not try to move some Instructions upon these points? There was at least a possibility that he might have succeeded, and these questions could have been raised. All I have to say is that no Instructions of any kind were moved, and I doubt whether any single Instruction, if so placed upon the Paper, would have achieved the object which hon. Members opposite have in view. The hon. Member for Battersea says the Bill could have been stiffened if we had been willing to accept some of the various Amendments which were put down. We heard a good deal upon the Second Reading of the Bill about a number of comprehensive Amendments which were to be moved in Committee, but why were none of them moved? I waited in daily expectation to hear what those comprehensive Amendments were which were going to transform this Bill into a great and comprehensive measure, but they never came. I can count on my fingers the serious suggestions which have been offered by hon. Gentlemen opposite. One of them was the extension of the period for the repayment of loans. But if that had been carried it would have been absolutely trivial. The hon. Member for Hoxton admitted that the Amendment which I accepted at his hands would do ten times more to assist the local authorities in giving effect to this measure than any other Amendment—than if I had accepted all the Amendments which were moved for extending the period of the loans. But even on that point hon. Gentlemen must remember that their proposals were opposed and objected to by all the greatest financial authorities sitting upon their own side of the House. With regard to the question of locomotion, the hon. Member for South Shields has said that what is wanted is a change in the law. My right hon. friend the President of the Board of Trade and myself had the pleasure of receiving a deputation from the County Council upon this subject not many days ago. The President of the Board of Trade explained to that deputation the provision made by the existing law. I think he made out a convincing case that all they required could be obtained without any changes in the law under the present law, and he gave them assurances which, as far as I can judge, were received with satisfaction and were considered sufficient by the members of the County Council who formed the deputation. The hon. Member for Battersea has raised another question which is of even more importance than the question of cheap trains. He has pointed out what is the fact, that under Standing Order 22 very great difficulties may be placed in the way of the County Council in London in case they wish to make a tramway beyond their own area. The effect of that Standing Order is that the consent of any outside authority is an absolute condition before any Bill upon this subject can be introduced. My right hon. friend and myself have considered this

question most carefully, and, after a conference with the Chairmen of Committees in both Houses, I am in a position to say that the Government are willing to make such alterations in that Standing Order and propose them in due course as will modify those restrictions and allow the question to be brought before Parliament and leave to the Committee the decision as to whether the matter should go forward or not. I do not know that there are many other questions with which I ought to deal in reply to what has been said. I am very strongly of opinion myself that when these questions were first discussed upon the introduction of the Bill, when it was stated so freely by many hon. Members opposite that this was a small, inadequate, futile, and absolutely ridiculous measure as an amendment of the law, nine-tenths of the hon. Gentlemen who made those statements were in entire ignorance—or, if not, they were singularly ill-informed—as to the existing state of the law. I have endeavoured, to the best of my ability, since these discussions began to make public and bring home to the minds of those interested in this question how immense, how wide, and how enormous are the powers which are already vested by law in the local authorities. I am pretty certain in my own mind that the real reason why, during the passing of this Bill through Committee, we have had none of those comprehensive Amendments which were foreshadowed was that the more hon. Gentlemen opposite made themselves thoroughly acquainted with this subject the more difficult they found it to frame any Amendments which were not already dealt with under the existing law upon this subject, or which were not provided for by the changes made by the present Bill. As regards London, to which the hon. Member for Battersea has referred, I hope for much from the new boroughs which are about to be constituted. With regard to districts outside the metropolis, I hope that the publicity which has been given to this question by the discussions in this House may lead to greater activity upon their part. Say what you will upon this question, and do what you will to try and extend the law, it is, after all, upon the action of the local authorities and the way in which they perform their duty that we must rely. It becomes daily and hourly more apparent that what really is wanted in regard to this question is a more effective administration of the existing law, rather than new measures of legislation.

SIR WALTER FOSTER (Derbyshire, Ilkeston): I am very sorry to have to rise to discuss the Third Reading of this Bill at so late an hour, but I hope we shall have a further opportunity of considering this measure before the Third Reading is taken. I think that would be a convenient course to the House for this reason if for no other reason, that the Bill as it is before us at present is imperfect and incomplete. Moreover, the Bill has never been reprinted since those clauses were added to it on the Report stage, and it is very inconvenient at this stage of the Bill to have before us an imperfect transcript of the Bill which the Government propose to place upon the Statute-book. When I went to get a copy of this Bill I was surprised to find that the clauses added on the Report stage were not added. I hope, therefore, we shall have an opportunity of considering the Bill in its complete form before the Third Reading is carried. The right hon. Gentleman the President of the Local Government Board, in the speech which he has just made, has referred to the absence of certain action on the part of hon. Members on this side of the House with reference both to Instructions and Amendments, and he suggested that if we desired very large powers to be added to this Bill we should have taken more opportunities of putting down Instructions. The right hon. Gentleman seems to forget that the opportunity of putting down Instructions was limited, because that stage of the Bill was not expected to be so short. I remember one evening we were not expecting this Bill to be taken at all by the House, and when I came back I found that one stage of the measure had been taken unexpectedly. Of course that shut out the possibility of putting down certain Instructions which would otherwise have possibly been put

down. I do not say that this was designedly done, but it put us at a disadvantage with reference to the addition of further Instructions which might have been put down to extend the Bill, as was desired by many hon. Members on this side of the House. There were many Amendments of substance which we desired to move, but which were unfortunately shut out by the narrow title and narrow purview of the Bill itself. Hon. Members of considerable position in the party to which I have the honour to belong, men of most moderate views, have declared that this evil is so great, and that the difficulties and dangers of bad housing of the people are becoming such serious questions affecting the social condition of the people, that they are prepared to take even revolutionary steps to amend the present condition of things. When that spirit exists, it is more than disappointing, for it is absolutely disheartening to have a measure brought in and discussed, and which is described as a Bill for housing the working classes, which, by its very title and drafting, prevents Amendments of a large and generous character being put upon the Paper. Then we come to the question in connection with this Bill of what can be done under it. There were several points that I wished to raise myself, and I am sorry to have to say, with reference to the Bill itself, I regard it with great disappointment. It does not answer the expectations I had formed of the measure that would be introduced. The Bill has not met, after all, the great difficulty we have to face in this matter in order to take poor people out of bad and insanitary houses. There are plenty of powers on the Statute-book for turning people out of bad houses and for shutting up those houses; but what we want is power to re-house the people, and this Bill does not give us that power to any appreciable extent in the rural districts, and it gives us that power under very unfortunate conditions even in large cities and in London. I am very anxious that we should consider this Bill fully and thoroughly before it passes to another House, and I think it is advisable that we should discuss it at much greater length. The right hon. Gentleman says it is desirable that the public outside should understand the Bill thoroughly; but for that purpose so far we have had very small opportunities of discussing the measure. With reference to the re-housing difficulty in London the Bill gives the local authorities opportunities of re-housing by taking them outside their area. But the taking of them outside the present areas under existing conditions is almost impossible You cannot take people outside the areas of these local authorities——

It being Midnight, Mr. SPEAKER proceeded to interrupt the Business, whereupon—

MR. CHAPLIN rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

The House divided:—Ayes, 108; Noes, 38. (Division List No. 216.)

AYES.

Acland-Hood, Capt. Sir A. F.	Balfour, Rt. Hn. G. W. (Leeds	Boscawen, Arthur Griffith-
Allhusen, Augustus Hy. Eden	Banbury, Frederick George	Brassey, Albert
Anson, Sir William Reynell	Beach, Rt. Hn. Sir M. H. (Bristol	Brodrick, Rt. Hon. St. John
Arrol, Sir William	Bemrose, Sir Henry Howe	Bullard, Sir Harry
Atkinson, Rt. Hon. John	Bethell, Commander	Carson, Rt. Hon. Sir Edw. H.
Balfour, Rt. Hon. A. J. (Manch'r	Blundell, Colonel Henry	Cavendish, R. F. (N. Lancs.)

Cavendish,V.C.W(Derbyshire
Chamberlain, Rt. Hn. J. (Birm.
Chamberlain,J Austen(Worc'r
Chaplin, Right Hon. Henry
Charrington, Spencer
Cohen, Benjamin Louis
Collings, Rt. Hon. Jesse
Corbett,A. Cameron(Glasgow)
Cross, Herbert S. (Bolton)
Curzon, Viscount
Dalkeith, Earl of
Dalrymple, Sir Charles
Davies, Sir H. D. (Chatham)
Dickinson, Robert Edmond
Digby, J. K. D. Wingfield-
Douglas, Rt. Hon. A. Akers-
Douglas-Pennant, Hon. E. S.
Dyke, Rt. Hon. Sir W. Hart
Faber, George Denison
Fellowes, Hon. Ailwyn Edw.
Finch, George H.
Finlay, Sir Robert Bannatyne
Fisher, William Hayes
Flower, Ernest
Gedge, Sydney
Gibbons, J. Lloyd
Gibbs, Hn. Vicary(St. Albans)
Godson, Sir Augustus Fredk.
Goldsworthy, Major-General
Gordon, Hon. John Edward
Gorst,Rt. Hon. Sir John Eldon
Goschen,Rt. Hn. G. J. (St.Geo.'s
Goulding, Edward Alfred
Greene, Henry D. (Shrewsb'y)
Greville, Hon. Ronald
Hamilton,Rt. Hn. Lord George
Hanbury, Rt. Hn. Robert Wm.
Henderson, Alexander
Hermon-Hodge, Robt. Trotter
Hoare, Sir Samuel (Norwich)
Jebb, Sir R. Claverhouse
Keswick, William
Knowles, Lees
Lawrence,Sir E Durning- (Corn
Lawson, J. Grant (Yorks.)
Loder, Gerald Walter Erskine
Long, Col. C. W. (Evesham)
Long, Rt. Hon. W. (Liverpool)
Lowe, Francis William
Lowles, John
Loyd, Archie Kirkman
Lucas-Shadwell, William
M'Arthur, Charles (Liverpool)
M'Killop, James
More,Robt. Jasper(Shropshire)
Morgan,Hn. Fred. (Mon'mths)
Morrell, George Herbert
Morton, A. H. A. (Deptford)
Mount, William George
Murray,Rt Hn A Graham(Bute
Nicholson, William Graham
Pease, Herbert P. (Darlington)
Peel, Hon. Wm. Robert W.
Penn, John
Pilkington,R. (Lancs,Newton)
Platt-Higgins, Frederick
Powell, Sir Francis Sharp
Pryce-Jones, Lt.-Col. Edward
Purvis, Robert
Rentoul, James Alexander
Richards, Henry Charles
Ritchie, Rt. Hon. Charles T.
Robertson, Herbert (Hackney)
Round, James
Russell, T. W. (Tyrone)
Sinclair, Louis (Romford)
Smith, A. H. (Christchurch)
Smith, J. Parker (Lanarks)
Smith, Hon. W. F. D. (Strand)
Thornton, Percy M.
Tomlinson, W. E. Murray
Tuke, Sir John Batty
Warde, Lieut.-Col. C. E. (Kent)
Welby,Lt-Col A. C. E. (Taunton
Willox, Sir John Archibald
Wilson, John (Falkirk)
Wodehouse,Rt Hn. E. R. (Bath)
Wylie, Alexander
Wyndham, George
Young, Commander (Berks,E.

TELLERS FOR THE AYES—
Sir William Walrond and
Mr. Anstruther.

NOES.

Bramsdon, Thomas Arthur
Brigg, John
Broadhurst, Henry
Buchanan, Thomas Ryburn
Caldwell, James
Cawley, Frederick
Dalziel, James Henry
Dillon, John
Doogan, P. C.
Evans,Samuel T. (Glamorgan)
Flavin, Michael Joseph
Foster, Sir W. (Derby Co.)
Goddard, Daniel Ford
Hayne, Rt. Hn. Charles Seale-
Hedderwick, Thos. Chas. H.
Horniman, Frederick John
Jones, W. (Carnarvonshire)
Kearley, Hudson E.
Lambert, George
Lawson, Sir W. (Cumb'land)
Lough, Thomas
Macaleese, Daniel
MacNeill, J. Gordon Swift
M'Leod, John
Maddison, Fred.
O'Brien, Patrick (Kilkenny)
O'Connor, T. P. (Liverpool)
Oldroyd, Mark
Reckitt, Harold James
Robson, William Snowdon
Samuel, J. (Stockton-on-Tees)
Sinclair, Capt. J. (Forfarshire)
Smith, Samuel (Flint)
Soames, Arthur Wellesley
Spicer, Albert
Sullivan, Donal (Westmeath)
Thomas, David A. (Merthyr)
Williams, John Carvell(Notts)

TELLERS FOR THE NOES—
Mr. Herbert Gladstone and
Mr. Causton.

Question put accordingly, and agreed to.

Bill read the third time, and passed.

COUNTY AND BOROUGH FRANCHISE ASSIMILATION (LONDON) BILL.

Read the third time, and passed.

Adjourned at a quarter after Twelve of the clock.

HOUSE OF LORDS.

Friday, 13th July, 1900.

PRIVATE BILL BUSINESS.

The LORD CHANCELLOR acquainted the House that the Clerk of the Parliaments had laid upon the Table the Certificate from the Examiners that the Standing Orders applicable to the following Bill have been complied with :—

Tramways Provisional Orders (No. 5).

The same was ordered to lie on the Table.

HASTINGS CORPORATION BILL.

TOTTENHAM URBAN DISTRICT COUNCIL BILL.

Reports of Her Majesty's Attorney General received, and ordered to lie on the Table.

BLACKPOOL, ST. ANNE'S, AND LYTHAM TRAMWAYS BILL.

Report from the Select Committee, That the Committee had not proceeded with the consideration of the Bill, the opposition thereto having been withdrawn; read, and ordered to lie on the Table. The Orders made on the 28th of June and the 5th of July last discharged; and Bill committed.

ILFRACOMBE IMPROVEMENT BILL.

The Queen's consent signified; and Bill reported with Amendments.

LAMBETH WATER BILL.

Reported from the Select Committee with Amendments.

SOUTH LANCASHIRE TRAMWAYS BILL.

Reported from the Select Committee with Amendments.

HALIFAX CORPORATION BILL.

Reported from the Select Committee with Amendments.

EDINBURGH DISTRICT LUNACY BOARD BILL [H.L.].

CORK ELECTRIC TRAMWAYS BILL [H.L.].

Commons Amendments considered, and agreed to.

SUNDERLAND CORPORATION BILL [H.L.].

The CHAIRMAN OF COMMITTEES informed the House that the opposition to the Bill was withdrawn. The Order made on the 28th May last discharged, and Bill committed for Monday next.

BRAY AND ENNISKERRY RAILWAY BILL.

NEWCASTLE-UPON-TYNE ELECTRIC SUPPLY BILL.

NEWRY, KEADY, AND TYNAN LIGHT RAILWAY BILL.

Moved, That the Order made on the 12th day of March last, "That no Private Bill brought from the House of Commons shall be read a second time after Tuesday the 26th day of June next," be dispensed with, and that the Bills be now read 2^a; agreed to; and Bills read 2^a accordingly, and committed. The Committees to be proposed by the Committee of Selection.

BOURNEMOUTH CORPORATION BILL [H.L.].

Read 3^a, and passed, and sent to the Commons.

FISHGUARD AND ROSSLARE RAILWAYS AND HARBOURS BILL [H.L.].

Returned from the Commons agreed to.

SPALDING URBAN DISTRICT COUNCIL (WATER) BILL.

Returned from the Commons with the Amendments agreed to.

EXMOUTH URBAN DISTRICT WATER BILL [H.L.].

Returned from the Commons agreed to, with Amendments.

FALKIRK CORPORATION BILL [H.L.].

RHYMNEY RAILWAY BILL [H.L.].

Returned from the Commons agreed to, with Amendments. The said Amendments considered, and agreed to.

ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 12) BILL.

House in Committee (according to Order). Amendments made. Standing Committee negatived. The Report of Amendments to be received on Monday next.

TRAMWAYS ORDERS CONFIRMATION (No. 3) BILL [H.L.].

Read 3^a (according to Order), and passed, and sent to the Commons.

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

GREAT SOUTHERN AND WESTERN AND WATERFORD AND CENTRAL IRELAND RAILWAY COMPANIES AMALGAMATION BILL [H.L.].

Report from the Committee of Selection, That the Lord Heneage be proposed to the House as a member of the Select Committee on the said Bill in the place of the Lord Chelmsford; read, and agreed to.

RETURNS, REPORTS, ETC.

COMMERCIAL (No. 2), 1900.

Reports from Her Majesty's Representatives abroad on Trade Marks Laws and Regulations: Part I. Presented (by Command), and ordered to lie on the Table.

FACTORY AND WORKSHOP (PARTICULARS OF PIECE-WORK WAGES: PEN-MAKING).

Order made by the Secretary of State for the Home Department, dated 12th July, 1900, applying with modifications the provisions of Section 40 of the Factory and Workshop Act, 1895, to factories and workshops in which is carried on the making of pens. Laid before the House (pursuant to Act), and ordered to lie on the Table.

CHINA—ANTI-FOREIGN OUTBREAK—RECENT NEWS.

THE EARL OF KIMBERLEY: May I ask the noble Marquess opposite whether the Government have any further news from China?

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): I regret very much to say that we have no news whatever. Of course, as the noble Lord is well aware, there are certain items of news current this afternoon in London, but they do not come from the Government, and, confining myself entirely to the question the noble Lord has asked me, I can only say that we have no news at all.

MILITIA ESTABLISHMENT—STATISTICS.

THE EARL OF WEMYSS: My Lords, I rise to ask the Secretary of State for War (1) to what extent the Militia is below its establishment at the present time; (2) of those serving, how many so-called Militiamen are serving in Great Britain, and of these how many are below twenty and eighteen years of age; (3) what force of Militia Infantry, deducting Militiamen under twenty years of age, and making an average allowance for casualties and absentees, could at the present time be put in the field for the home defence of the United Kingdom. In putting this question to my noble friend, I have no desire at all to revive the discussion on the Militia Ballot Bill. I do not wish to ask your Lordships to consider whether the Militia Ballot Bill or the promise of clean clothes which was given by my noble friend the Secretary of State for War will be the more likely to fill the chronic vacancies in the Militia. But I should like to clear up a personal matter. I am, unfortunately, very deaf, and I did not hear what the noble Marquess said in answer to the remarks I made in the recent discussion; but on reading his speech I find that he spoke of my inability to recognise any merit in any measures except those which I myself initiated. That is a very general assertion, and I therefore ask the noble Marquess to condescend to particulars, and to name the measures I have initiated bearing upon this question which I prefer to the measures proposed by the Government. As to the strength of the Militia, I have received a communication from an officer thoroughly conversant with the state of things in one district, in which he states that I ought to have asked how many Militiamen were below sixteen. I do not know who it comes from, but I hold in my hand another letter, written on official paper but anonymous, in which it is stated that in a certain district the actual strength of the Militia is 5,655, while the establishment proper is 9,255, so that in that particular district the Militia is below its proper strength by 3,600. The writer goes on to say that the number of captains is three-fourths of the establishment, and that the Militia are now being trained in great part by subalterns, which accounts for the adverse criticism recently passed by the Commander-in-Chief as to their efficiency.

THE SECRETARY OF STATE FOR WAR (The Marquess of LANSDOWNE): My Lords, the noble Earl began by asking me for an explanation of a passage which

he quoted—I have no doubt correctly—from the speech I delivered the other evening when his motion in favour of the Militia ballot was debated. The noble Earl on that occasion pressed upon your Lordships the desirability of having recourse to the Militia ballot. I, on the contrary, asked your Lordships to believe that other measures having important effects upon the efficiency and strength of the Militia force should be tried before there was any question of having resort to the ballot, and at the end of my remarks I told the noble Earl that I thought he was unable to see any merit in any measure except that which he was himself pressing upon the House.

THE EARL OF WEMYSS: Initiating.

THE MARQUESS OF LANSDOWNE: The noble Earl presses the word "initiating." He certainly initiated it on that occasion, at any rate. He refused to admit that our measures had any merit, but I am glad the House thought with us and came to the conclusion at which we had arrived. The noble Earl a few moments ago called my attention to a case in which an anonymous informant had told him that in a particular district the Militia was to an alarming extent below its strength. I cannot identify the case, but if the noble Earl chooses to supply me with the necessary information I will make inquiries. I will now answer the questions on the Paper. I may explain that the figures which I shall give him will be exclusive of the permanent staff of the Militia and of the Militia officers. The establishment of the Militia is 124,273. The number of men now serving with the Militia is 91,824, but in addition to those there are about 12,000 Militia Reservists who are now serving with the Line. If those be added the deficiency is increased from about 20,000 to about 32,000.

THE EARL OF WEYMSS: Are they not exclusive of the establishment?

THE MARQUESS OF LANSDOWNE: Including the Militia Reservists the deficiency will be 32,000, and excluding them, 20,000. Of the Militia serving at home there are in Great Britain 57,000, and in Ireland 13,000. Of the 57,000 in Great Britain there are, under the age of twenty, 21,000, of whom 5,000 are under the age of eighteen. Of the 13,000 in Ireland 5,500 are under twenty and of those 1,400 are under eighteen. Then, my Lords, we come to the Infantry Militia. The Infantry Militia in the United Kingdom numbers 54,000, of whom 22,000 are under twenty. About 2,700 would represent the normal deduction to be made from that number on account of sick. All that I need add is that for the purpose of calculating the number of men who can be put into the field for the home defence of the United Kingdom, we should certainly not deduct all men below the age of twenty. No such deduction has, to the best of my belief, ever been made.

THE EARL OF WEMYSS: I beg to thank the noble Marquess for the statement he has just made. Perhaps he will pardon me if I again refer to the personal matter I mentioned when asking the question. My noble friend has just stated that what he said referred to the measure that I was pressing on the House. What the noble Marquess really said was that I could see no merit in any measure that I did not myself initiate. What I want to point out is that I had nothing whatever to do with the initiation of the measure for the Militia ballot. I was simply pressing on the Government the measure which they themselves initiated.

WORKMEN'S COMPENSATION ACT (1897) EXTENSION BILL.

Amendment reported (according to Order).

LORD HERRIES pointed out that the first clause provided, amongst other things, that where the contractor provided and used machinery driven by mechanical power for the purposes of threshing, ploughing, or other agricultural work, he, and he alone, should be liable under the Act to pay compensation to any workman employed by him on such work. He proposed that the words "horses or" should be inserted before the word "machinery." He could not understand why, if a contractor made use of machinery, the contractor should be liable to pay compensation, whereas if he made use of horse power the liability should fall on the employer and not on the contractor. They had been told that the difficulty could be got over by insurance, but it would be impossible for the employer to

insure the workpeople of the contractor against accidents. Moreover, the clause as it at present stood would give rise to a great deal of litigation as to when the employment began. Supposing, for instance, a man employed a contractor with a self-binder to cut a field of corn, would the liability for compensation begin when the contractor was attaching the horse to the self-binder, or when he entered the field? He ventured to think that many legal questions of this kind might arise. If one of the horses employed by a contractor was vicious and kicked and injured somebody, surely the man who employed the contractor could not be considered liable. He had been told that this question was threshed out in the Committee of the House of Commons, but from inquiries he had ascertained from a Member for an agricultural district that the point had never been raised at all. The Amendment was in no way opposed to the principle of the Bill, and he hoped the noble Viscount would accept it.

Amendment moved—

"In page 1, line 15, after 'uses' to insert 'horses or.'"—(*Lord Herries.*)

VISCOUNT CROSS: Although I confess that I have considerable sympathy with the Amendment, I am afraid I cannot accept it. The great object of the Bill is to avoid litigation, and the Department which I represent are of opinion that the words of the Bill as it stands are quite clear and not likely to lead to litigation. Although it is true that some of these machines are driven by horses, a good many of the horses may belong to the farmer himself.

LORD HERRIES pointed out that the clause, as he proposed to amend it, would read, "provided that where the contractor provides and uses horses or machinery."

THE EARL OF KIMBERLEY thought the Amendment would be a great improvement to the Bill.

THE CHAIRMAN OF COMMITTEES (The Earl of MORLEY) said that in his opinion the Amendment was a very reasonable one. If a contractor's horse kicked a man the contractor ought to be liable for the injury just as much as he would be liable for an injury caused by the machinery he used.

LORD ALVERSTONE said it would be better not to insert the words in the Amendment. He thought the difficulty which the Board of Agriculture must have felt was that if the words "horses or" were inserted there would be a difference in the case of a man kicked by the farmer's horse and a man kicked by the contractor's horse. It would be better not to draw this distinction.

LORD HENEAGE said that, under the clause as it now stood, if a man was kicked by the contractor's horse he would obtain compensation from the farmer, who might then recover it from the contractor to whom the horse belonged. He supported the Amendment. If the contractor provided and used horses, he alone should be liable to compensate just in the same way as if he provided machinery.

On Question, "That the words 'horses or' be here inserted," their Lordships divided:—Contents, 22; Not-Contents, 25.

CONTENTS.

Grafton, D.	Rosse, E.	Heneage, L. [*Teller.*]
Ripon, M.	Spencer, E.	Herries, L. [*Teller.*]
Zetland, M.	Avebury, L.	Kenmare, L. (*E. Kenmare.*)
Dartrey, E.	Boyle, L. (*E. Cork and Orrery.*)	Leigh, L.
Egerton, E.	Brougham and Vaux, L.	Macnaghten, L.
Kimberley, E.	Burghclere, L.	St. Levan, L.
Morley, E.	De Ramsey, L.	Tweedmouth, L.
		Welby, L.

NOT-CONTENTS.

Halsbury, E. (*L. Chancellor.*)	Lansdowne, M.	Morton, E.
Devonshire, D. (*L. President.*)	Denbigh, E.	Mount Edgcumbe, E.
Cross, V. (*L. Privy Seal.*)	Lindsey, E.	Vane, E. (*M. Londonderry.*)
Ailesbury, M.	Mar, E.	Frankfort de Montmorency, V.

Lord Herries.

Alverstone, L.	De Mauley, L.	Newton, L.
Ashbourne, L.	Farquhar, L.	Pirbright, L.
Balfour, L. [*Teller.*]	Grey de Ruthyn, L.	Windsor, L.
Calthorpe, L.	James, L.	
Churchill, L. [*Teller.*]	Morris, L.	

Bill to be read 3ª on Monday next.

MERCHANT SHIPPING (LIABILITY OF SHIPOWNERS AND OTHERS) BILL.

House in Committee (according to Order).

Clause 1, agreed to,

Clause 2 :—

LORD MACNAGHTEN said he did not think there would be any objection to his Amendment, which he explained on the previous evening. It provided that a ship could not be deemed to have been within the area laid down in the Bill by reason only that it had been built or fitted out within such area.

Amendment moved—

"In clause 2, line 27, after 'has' to insert 'been built or fitted out within such area or that it has.'"—(*Lord Macnaghten.*)

LORD HENEAGE said that, so far as he was concerned, he had no objection to the Amendment. It appeared a fair and reasonable one, and he gladly accepted it.

On Question, Amendment agreed to.

On Question, "That Clause 2, as amended, stand part of the Bill."

LORD ALVERSTONE: I wish to ask the noble and learned Lord on the Woolsack and the noble Lord who represents the Board of Trade whether Her Majesty's Government have really considered what the effect of this clause is. I pointed out when I was in the House of Commons that the clause was practically unworkable. It proposes that dock companies shall get immunity from liability for accidents to the same extent that shipowners now do under the Limitation of Liability Acts. I will quote one instance as an illustration of what I mean. Supposing a dock-master, by mismanagement of sluices, lets out the water, and half-a-dozen ships are grounded and the goods injured, the liability of the dock company is to be limited to £8 a ton, not by any relation to their own property, but by relation to the ship of largest size that has gone into the dock during the previous five years. If this principle is going to be admitted there is no reason why the liability of railway companies and other contracting bodies should not be limited in the same manner. I hope before your Lordships pass this clause you will see that by it you are introducing the principle—the entirely new principle—of limiting liability for dock companies and other undertakings without the least reference to the same considerations as those which limit the liability in the case of shipowners; the standard that is set up has not the slightest relation either to the obligation of the dock company or the breach of duty they commit. I do not think such a change in the law ought to be made except after full consideration by the Government of the day. I should like the noble Lord who represents the Board of Trade to state the reason for this clause. It is said to be a bargain between the shipowners and the dock companies, but we have the rights of the goods owners to protect. There may be damage to the extent of thousands of pounds done to goods, but the goods owners get no consideration under this Bill.

EARL EGERTON: While I cannot defend the clause upon any logical principle, I should like to explain that it is the result of agreement between dock-owners and shipowners. It does not limit the amount of damages in an ordinary accident, but is designed to meet such accidents as the one which occurred two years ago in the Manchester Ship Canal. It will be remembered that the ship Harold, instead of obeying orders and going astern, went ahead and charged the dock gates with such force that they were carried away. Had it not been for the presence of mind of the man in charge of the dock, who closed the gates immediately, the water for several miles would have been let out and enormous damage caused. It was felt on either side that there should be some limit to the liability of the shipowner and the dockowner in accidents of an exceptional

nature, and this limit the clause provides, though, speaking on behalf of dock-owners, I would have preferred a specified limit of, say, £50,000 or £100,000.

LORD AVEBURY: The noble Lord who is in charge of this Bill said the clause had been agreed to by all those who were interested. I should like to know if merchants and insurers, who are quite as much interested in the matter as shipowners and dock companies, are in any way parties to the agreement represented by the clause.

*LORD BALFOUR OF BURLEIGH: The criticisms upon this clause seem to imply a greater amount of affection for it on the part of the Board of Trade than really exists. I ventured yesterday to explain the position of the Board of Trade in regard to the clause. If the clause has to be defended upon its merits the defence must come from the noble Lord who is responsible for the Bill. The Board of Trade are not committed to this clause. Their position is this—they are aware that this is a Bill which is ardently desired by the two parties to this transaction, but whether their interests ought to prevail over the interests of those whom the noble Lord behind me has mentioned is a matter really for the House. I do not make myself responsible for the clause, nor do I in any way defend it. At the same time, I am bound to say that to strike out the clause would be tantamount to rejecting the Bill. If the clause goes to a division, I shall feel bound, after what I said yesterday, to vote for the clause; but I do not think this expression of opinion on my part ought to be held to bind the Government to vote in the same direction.

THE LORD CHANCELLOR (The Earl of HALSBURY): When I addressed your Lordships yesterday I spoke under some reserve. I certainly was under the impression that the noble and learned Lord behind me, the late Attorney General, had spoken on behalf of the Government in support of the clause in another place. Now, however, I feel perfectly free to express my opinion. A more monstrous and more ridiculous provision than that contained in this clause I have never heard in my life, and if the question is put, "that the clause stand part of the Bill," I shall certainly say "not content."

THE EARL OF KIMBERLEY: This is not a specimen of a very united Government. We have heard to-day what is to me an entirely new theory as to the responsibility of the different members of the Government. The noble Lord who represents the Board of Trade has stated that the Board of Trade do not particularly like this clause. That may be, but they take the responsibility of giving their assistance to pass the Bill through Parliament, and therefore they become responsible for it.

*LORD HENEAGE: I cannot help thinking that an inconvenient course has been adopted in allowing the Second Reading to pass unchallenged, thus approving of the principle of limitation, and raising the question at the present stage. I came down yesterday fully prepared to discuss the Bill on its merits, and so far as I could see there was no opposition except from the noble and learned Lord on the Woolsack, who said he did not wish to disturb the unanimity of the House. We approved yesterday of the principle that there was to be limitation, and the only question was how was that limitation to take place. The noble and learned Lord the late Attorney General objects to the second clause of this Bill. I think I must remind him that on the Second Reading in another place, after approving of the first clause of the Bill, he said—

> "All I say is that it does seem to me that the dock company has some right to say to the shipowner, 'If you ask that when a ship runs down the dock gates its liability shall be limited to £8 a ton, there ought at least to be some reciprocity.'"

It was on the basis of such a claim that this arrangement — workable, though utterly illogical—was arrived at by the shipowners and the dock companies. No alternative proposition of any kind whatever was made in the House of Commons, nor by the Law Officers of the Crown in the Standing Committee; and every alternative proposition suggested when the Bill came back from the Standing Committee was thoroughly discussed, and, with one or two exceptions, rejected. What would the noble Lord have us do? We have got to find an agreement, and a basis for that agreement. It would be impossible to make the whole dock liable, because you would have to make the whole fleet of the shipowners liable in the alternative

case. The parties interested have endeavoured to find a fair basis, and what they have done is to substitute for the dock as the basis the largest ship that trades with that port. The compensation that will be paid will be exactly the same as if the damage had been committed by the largest ship in the dock. It may be said that that is a rough-and-ready estimate, but it has been arrived at by practical business men not fond of litigation. For my part I think there is less likelihood of litigation when men of common sense enter into a common sense agreement than there is in many of the laws that are passed by Parliament, even when they are drafted by the most learned lawyers. There will be no difficulty whatever. The largest ship that enters a dock is well known to everybody in the vicinity of the port, and if it is not known the information can very easily be obtained from the Customs or Board of Trade officers at the port. I was asked by my noble friend near me (Lord Avebury) whether the goods-owners had been consulted in this matter. I do not know that chambers of commerce have been consulted, but the underwriters, who are really responsible for these goods and to whom this point is of much greater importance, have been, and agree as to the advisability of passing this Bill.

On Question, "That Clause 2, as amended, stand part of the Bill," their Lordships divided:—Contents, 27; Not-Contents, 18.

CONTENTS.

Grafton, D.	Balfour, L.	Macnaghten, L. [*Teller.*]
	Boyle, L. (*E. Cork and Orrery.*)	Morris, L.
Ripon, M.	Brougham and Vaux, L.	Reay, L.
	Burghclere, L.	St. Levan, L.
Dartrey, E.	Clonbrock, L.	Sandhurst, L.
Egerton, E.	De Ramsey, L.	Sudley, L. (*E. Arran.*)
Kimberley, E.	Heneage, L. [*Teller.*]	Tweedmouth, L.
Spencer, E.	Herries, L.	Welby, L.
Vane, E. (*M. Londonderry.*)	Kenmare, L. [*E. Kenmare.*]	Windsor, L.
	Leigh, L.	

NOT-CONTENTS.

Halsbury, E. (*L. Chancellor.*)	Denbigh, E.	Alverstone, L. [*Teller.*]
Devonshire, D. (*L. President.*)	Lindsey, E.	Calthorpe, L.
Cross, V. (*L. Privy Seal.*)	Morley, E.	Churchill, L.
	Mount Edgcumbe, E.	Farquhar, L.
Ailesbury, M.	Waldegrave, E.	James, L.
Salisbury, M.		Pirbright, L.
Zetland, M.	Frankfort de Montmorency, V. [*Teller.*]	

Remaining clauses agreed to.

Bill recommitted to the Standing Committee; and to be printed as amended. [No. 183.]

RAILWAYS (PREVENTION OF ACCIDENTS) BILL.

[THIRD READING.]

Moved, "That the Bill be now read the Third time."—(*Lord James of Hereford.*)

On Question agreed to, Bill read 3ª accordingly.

Moved, "That the Bill do pass."—(*Lord James of Hereford.*)

LORD DE RAMSEY: The Amendment standing in my name to Clause 10 virtually explains itself. I understand that the noble and learned Lord in charge of the Bill does not disapprove of it, and I hope your Lordships will find it in your power to sanction it.

Amendment moved—

"In Clause 10, Sub-section 1, page 3, line 30, to leave out 'six' and to insert 'three.'"—(*Lord de Ramsey.*)

Amendment agreed to.

LORD JAMES OF HEREFORD: I wish to add another important sub-section to Clause 13. When the question of these accidents was before the Royal

Commission their attention was called to the fact that there were certain railways in connection with factories and mines belonging to private owners which did not come under the Board of Trade or the Home Office. The Commission recommended that these lines should be brought in in some way, and my Amendment gives jurisdiction over them to the Home Office.

Amendment moved—

"In Clause 13, page 4, line 41, to add as a new sub-section — '(3.) Where any line or siding is used in connection with a factory, workshop, or mine, and is neither part of the factory, workshop, or mine, nor a railway within the meaning of this Act, the occupier of the factory, workshop, or mine shall be under the same obligation to give notice of accidents occurring on the line or siding to persons employed in the factory, workshop, or mine as a railway company in the case of accidents occurring on a railway; but the notice shall be given to the Secretary of State, and the Secretary of State shall have the same powers and duties with respect to inquiries and investigations and the appointment of an assessor to the coroner as the Board of Trade has in similar cases.'"—(*Lord James of Hereford.*)

Amendment agreed to.

LORD AVEBURY: My Lords, I beg to move an Amendment providing that new debentures or debenture stock issued may not be "in priority to" any existing debentures or debenture stock of the company. The Bill as it stands authorises the creation of a new charge in priority of the debentures which at present are by Statute a first charge on the companies concerned. The debenture-holders are not shareholders, but creditors. The majority of debenture stocks of our great English railways are stocks in which trustees are permitted to invest by Act of Parliament on the faith of their being, as they now are by law, a first charge upon the company, and it is now proposed for the first time to place another charge before them. I know it is argued that there is a precedent in an Act passed in 1889, but I venture to think that that Act is rather an example to be avoided than a precedent to be followed. It is not really a precedent. In that case the charge was created in the interest of the community as a whole; here it is for the benefit of a class—no doubt a very meritorious class, and for a very proper object; but still in the interest of a class. The acceptance of the Amendment would be no real hindrance to the carrying out of the provisions of the Bill, because if any company was unable to raise the money it would go into the hands of a receiver, who would then be able to rearrange the debt. I submit that to over-ride the present law and the rights of present debenture-holders and place new creditors in priority to those who have at present by Act of Parliament a first charge is a very dangerous precedent. It is true that this Amendment was rejected in the House of Commons, though brought forward by a Member of great weight and experience; but it came on late at night, and from what I have heard since, I have no doubt that under other circumstances it would have received the general support of Members with commercial experience. Second debentures are, as everyone knows, an inferior security. Millions of money—a large proportion in trust—have been invested in railway debenture stock on the faith of Parliamentary enactments that they are a first charge upon the undertakings. But if this Bill passes in its present form the existing debenture stocks will cease to be a first charge; they will sink to the position of second debentures. It is to maintain them in their present position, to uphold the character which Parliament has itself conferred on them, that I move to omit these words.

Amendment moved—

"In Clause 14, page 5, line 8, to leave out 'in priority to or,' and to leave out '*pari passu* with,' and to insert 'after.'"—(*Lord Avebury.*)

LORD JAMES OF HEREFORD: I mentioned in the Standing Committee the course which I thought it was right to take on this matter. The Government will not now adhere to the words "in priority to" for the reason that if we place all these debentures in priority to the other debentures we should place them in priority to the debentures of 1889. Therefore we will not maintain that position, but we must maintain the position that the debentures may be issued *pari passu* with any existing debentures or debenture stock of the company. I hope my noble friend and your Lordships will accept, if I may call it so, this compromise.

On Question, "That the words 'in priority to or' stand part of the clause," resolved in the negative.

LORD AVEBURY: After what the noble and learned Lord has said, I withdraw my Amendment to omit the words "*pari passu* with."

Amendment (by leave of the House) withdrawn.

Verbal Amendments agreed to.

LORD JAMES OF HEREFORD: My Lords, before the question is put "that the Bill do pass," I should like to say that when this question was before the Royal Commission, it was stated, probably correctly, that many accidents which occur to railway servants result from their own conduct—not necessarily from unmeritorious conduct, but from excess of zeal. This is not a matter that legislation can deal with, as to punish railway servants for desiring to fully perform their duty is repugnant to their employers and to public feeling. Therefore, nothing has been done in this Bill in reference to these accidents. It has been suggested, and I have done my best to see whether it can be carried into effect, that the best course would be to form a Conciliation Board, composed of three representatives of the railway companies, three representatives of the men, and one independent and impartial person, to formulate rules and to suggest methods by which these accidents can be mitigated. Such a Board would also be of great assistance to the Board of Trade if they made suggestions as to the best rules that could be made for carrying out the provisions of this measure and so preventing accidents. I hope this suggestion will be carried into effect. It will be a most valuable supplement to this Bill, and will be a great service to the railway servants of this country.

On Question, "That the Bill do pass," agreed to.

Bill passed, and returned to the Commons.

THE SECRETARYSHIP OF THE MAYO COUNTY COUNCIL.

THE EARL OF ARRAN: My Lords, I beg to ask Her Majesty's Government whether they can state the reasons why the Local Government Board permitted Mr. Denis O'Connor Kelly to retain the office of secretary to the Mayo County Council after that gentleman refused to present himself for examination; and whether the Local Government Board will bear the extra expense caused by this permission being given by the Board. I should not trouble your Lordships with this question if I did not think it was one of great public importance. To explain my position I must refer to the question which I put on 26th June last to the noble Earl who represents the Irish Office in this House.* On that occasion I asked my noble friend whether, before ratifying the appointment, the Local Government Board had taken any steps to ascertain the fitness of Mr. D. O'Connor Kelly, the late secretary to the Mayo County Council, for that post, to which he was appointed by the Council; and if not whether the expense caused by the condition of the accounts when Mr. Kelly resigned the office will be borne by the Local Government Board or the ratepayers. Owing, I have no doubt, to the omission on my part to put the question on the Paper, although I had already given private notice of it to the Irish Office, which I thought was quite sufficient, the noble Earl said he was unable to give me very much information. But he did give me this information. He said—

> "I can only say that the appointment of the late secretary was not ratified by the Local Government Board; on the contrary, the Department refused to ratify it because the late secretary declined to present himself for examination."

I would draw your Lordships' attention to the last words in that reply—namely, "the late secretary declined to present himself for examination." It was distinctly stated in the advertisement issued by the Local Government Board that no person was eligible to be appointed to the office of secretary of a county council in Ireland (1) unless he is over twenty-one years of age at the date of his appointment, and undertakes to devote his entire time to the duties of his office; (2) and unless he (*a*) is an existing secretary of a county council, or has acted for a period of three years as a duly authorised assistant to a secretary of a county council, and satisfies the Local Government Board that he has efficiently discharged the duties of his office; or (*b*) shall have been examined and his qualifications certified by some person or per-

* See *The Parliamentary Debates* [Fourth Series], Vol. lxxxiv., page 1067.

sons appointed for that purpose by the Local Government Board. The advertisement stated that the Local Government Board might, if they saw fit, dispense with the examination in the case of a candidate who could produce a certificate of having passed a public examination at least equivalent in the opinion of the Board to that which the Board required to be passed by secretaries of county councils, or could show that he possessed actuarial, legal, or other special qualifications for the office. Mr. D. O'Connor Kelly had not been secretary to any other county council, he had not acted as an assistant to a secretary to a county council, and he had not passed any examination; but notwithstanding this the Mayo County Council, in the exercise of their discretion, or their indiscretion, whichever you like to call it, appointed him to the office, and it then remained for the Local Government Board to call upon him to pass the examination. Although he refused to present himself for examination the Local Government Board allowed him to retain the position, and he acted as secretary to the county council for a period of more than six months. At the end of that time the condition of things was such that the Local Government Board addressed a letter to the county council, in which they stated that—

"The affairs of the Council have been allowed to lapse into a condition of almost hopeless confusion, and it will involve an expenditure of much time and labour to rectify the mistakes and supply the omissions of the past ten months."

I will quote to your Lordships a short extract from a letter which appeared in *The Times* on the subject on 16th February last, and which shows the condition into which things had been allowed to get. It is as follows—

"The secretary has neglected his business shamefully, no attempt has been made to keep the office accounts, the counter ledger has not been posted since the end of last September, and the first half-year's rate, which was agreed on by the Council on 19th May last, was not put in course of collection till October. No records exist in the office so show the total amounts collected on the several accounts for which the various collectors are responsible. The secretary of the council, whom the Board's letter describes as quite incompetent, and who has now resigned, is a brother of Mr. O'Connor Kelly, the chairman of the council."

Now comes the question on which I desire information. I want to know why the Local Government Board allowed Mr. D. O'Connor Kelly to hold office after he had refused to submit himself to an examination, and whether the £1,000 which had to be spent in putting the books and accounts in a proper condition will be borne by the ratepayers or the Local Government Board? I wish at once to say that I desire to throw no reflection whatever on the integrity of Mr. D. O'Connor Kelly; it is purely a matter of incompetence. If the Local Government Board, when he refused to submit himself for examination, had insisted upon his resigning at once, this state of things could not possibly have happened. Therefore, it seems to me that the expense incurred was entirely due to the looseness with which the Local Government Board conducted their business. Under these circumstances it is extremely hard that the ratepayers should be made liable for this large expense.

THE EARL OF DENBIGH: My Lords, I am able to give the noble Earl a rather fuller answer than I was able to give him when he asked this question on the last occasion. The Local Government Board for Ireland report that it is not the case that they permitted Mr. D. O'Connor Kelly to retain office after he refused to present himself for examination. On the contrary, they requested the county council to proceed at once to a fresh election. As no permission was given by the Board, as alleged, there was no expense caused by the supposed permission. It appears that during the interval between his nomination by the county council and his being called upon by the Local Government Board to undergo the necesssary examination, he was temporarily employed by the council to dispose of arrears of work left by his predecessor in office. The Local Government Board sent down two clerks in connection with these arrears. The other clerks were appointed by the county council, and the expense in connection with the employment of those clerks will be borne by the ratepayers. The Local Government Board did not at any time ratify or sanction the appointment of Mr. D. O'Connor Kelly. On his being nominated by the county council the Board called upon him to undergo an examination, allowing him the usual six weeks to prepare for it. No extra expense was caused by this allowance of time. On the contrary, it was

productive of some saving to the ratepayers, as the county surveyor, who acted as secretary during the interval, received an allowance of £3 3s. per week, whereas the secretary's salary would have been double. Mr. D. O'Connor Kelly refused to submit to an examination, and the Local Government Board directed the council to take steps to fill the vacancy.

THE EARL OF ARRAN: I cannot help expressing the opinion that ten months is a long time to elapse between the election of Mr. D. O'Connor Kelly and the time at which he was compelled to resign.

THE EARL OF DENBIGH: The people primarily to blame for the condition of affairs that existed, and the expense involved, are the Mayo County Council, who ought not to have appointed an incompetent person.

THE EARL OF ARRAN: But their appointment was only subject to the ratification of the Local Government Board.

VETERINARY SURGEONS (AMENDMENT) BILL.

[SECOND READING.]

Order of the Day for the Second Reading read.

*LORD TWEEDMOUTH: My Lords, a good deal has been done in recent years to improve the status and morale of the veterinary profession, and this Bill is intended to be a step in that direction. At this moment there are two corporations who grant diplomas to veterinary surgeons—the Royal College of Veterinary Surgeons and the Highland Agricultural Society. The former has considerable disciplinary powers by which, in case of gross misconduct, they can withdraw their diploma from a veterinary surgeon. The Highland Agricultural Society do not possess such powers, and consequently, no matter how badly a man holding their diploma may behave, they cannot have it withdrawn. I will give your Lordships a single instance of what has taken place. A veterinary surgeon holding the Highland Agricultural Society's diploma insured a fictitious horse under a fictitious name, and then, in his own name, certified as to the soundness of the horse and afterwards certified as to its death. Then, in the fictitious name, he applied for the insurance money and got it. The insurance company, however, found him out, prosecuted him, and he was sentenced to three months imprisonment without the option of a fine. Notwithstanding this he is practising at this moment with the diploma of the Highland Agricultural Society. The object of this Bill is to give the latter society power to withdraw diplomas in such cases. The powers are carefully guarded, and the Bill has passed through the other House of Parliament.

Moved, "That the Bill be read a second time."—(*Lord Tweedmouth.*)

*LORD BALFOUR OF BURLEIGH: The noble Lord has described the object of this Bill. It will effect its purpose, and I hope the House will give it a Second Reading.

On Question agreed to, Bill read 2ª accordingly, and committed to a Committee of the whole House on Monday next.

NEW BILLS.

COUNTY AND BOROUGH FRANCHISE ASSIMILATION (LONDON) BILL.

Brought from the Commons; read 1ª; to be printed; and to be read 2ª on Tuesday next (*The Lord Farquhar*). (No. 184.)

HOUSING OF THE WORKING CLASSES ACT (1890) AMENDMENT BILL.

Brought from the Commons; read 1ª; and to be printed. (No. 185.)

House adjourned at Six of the clock, to Monday next, Eleven of the clock.

HOUSE OF COMMONS.

Friday, 13th July, 1900.

PRIVATE BILL BUSINESS.

PRIVATE BILLS [Lords] (STANDING ORDERS NOT PREVIOUSLY INQUIRED INTO COMPLIED WITH).

Mr. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the

case of the following Bills, originating in the Lords, and referred on the First Reading thereof, the Standing Orders not previously inquired into, and which are applicable thereto, have been complied with, viz. :—

Buenos Ayres and Rosario Railway Bill [Lords].
Costa Rica Railway Company, Limited, Bill [Lords].
Roe's Patent Bill [Lords].

Ordered, That the Bills be read a second time.

PROVISIONAL ORDER BILLS (STANDING ORDERS APPLICABLE THERETO COMPLIED WITH).

Mr. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That in the case of the following Bill, referred on the First Reading thereof, the Standing Orders which are applicable thereto have been complied with, viz. :—

Edinburgh (Housing of the Working Classes) Improvement Scheme Provisional Order Bill.

Ordered, That the Bill be read a second time upon Monday next.

PROVISIONAL ORDER BILLS (NO STANDING ORDERS APPLICABLE).

Mr. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bill, referred on the First Reading thereof, no Standing Orders are applicable, viz. :—

Paisley Waterworks Provisional Order Bill.

Ordered, That the Bill be read a second time upon Monday next.

GREAT EASTERN RAILWAY BILL.

LONDON AND SAINT KATHERINE DOCKS AND EAST AND WEST INDIA DOCK COMPANIES BILL.

ST. ALBANS WATER BILL.

Lords Amendments considered, and agreed to.

DONEGAL RAILWAY BILL [Lords].

GREAT SOUTHERN AND WESTERN RAILWAY BILL [Lords].

SOUTH STAFFORDSHIRE TRAMWAYS BILL [Lords].

Read the third time, and passed, with Amendments.

ASTON MANOR TRAMWAYS BILL [Lords].

As amended, considered; to be read the third time.

GWYRFAI DISTRICT COUNCIL WATER BILL [Lords].

As amended, considered; to be read the third time.

ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 6) BILL [Lords].

ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 8) BILL [Lords].

Read the third time, and passed, without amendment.

LONDON (ST. MARYLEBONE) PROVISIONAL ORDER BILL.

Read the third time, and passed.

GAS ORDERS CONFIRMATION (No. 1) BILL [Lords].

As amended, considered; to be read the third time upon Monday next.

WATER ORDERS CONFIRMATION BILL [Lords].

Reported, without amendment; Provisional Orders confirmed; Report to lie upon the Table.

Bill to be read the third time upon Monday next.

LIVERPOOL OVERHEAD RAILWAY BILL [Lords].

GLASGOW BUILDING REGULATIONS BILL [Lords].

Reported, with Amendments; Reports to lie upon the Table, and to be printed.

RAILWAY BILLS (GROUP 8).

Sir LEWIS M'IVER reported from the Committee on Group 8 of Railway Bills, That Mr. Samuel Woods, one of the Members of the said Committee, was not present during the sitting of the Committee this day.

Report to lie upon the Table.

MARGATE CORPORATION BILL [Lords].

Reported, with Amendments; Report to lie upon the Table, and to be printed.

MIDLAND GREAT WESTERN RAILWAY OF IRELAND BILL [Lords].

Reported from the Joint Committee on Railways (Ireland) Amalgamation Bills, with Amendments.

Report to lie upon the Table, and to be printed.

MESSAGE FROM THE LORDS.

That they have agreed to the Wellingborough and District Tramroads Bill, and the Nottingham Corporation Bill, with Amendments.

That they have agreed to the Amendments to Amendments to the Great Yarmouth Port and Haven Bill, without amendment.

That they have passed a Bill intituled, "An Act to confirm certain Provisional Orders made by the Board of Trade under the Tramways Act, 1870, relating to Batley Corporation Tramways, Camborne and Redruth Tramway, East Ham Urban District Council Tramways, Hull Corporation Tramways, Middleton Corporation Tramways, Portobello and Musselburgh Tramways, and Southampton Corporation Tramways." Tramways Orders Confirmation (No. 3) Bill [Lords.]

And also a Bill intituled, "An Act to authorise the mayor, aldermen, and burgesses of the borough of Bournemouth to acquire certain lands within the parishes of Bournemouth and Holdenhurst and Pokesdown, and to appropriate, regulate, and manage the same as open spaces; to confirm an agreement relating thereto; and for other purposes." Bournemouth Corporation Bill [Lords].

TRAMWAYS ORDERS CONFIRMATION (No. 3) BILL [Lords].

Read the first time; Referred to the Examiners of Petitions for Private Bills, and to be printed. [Bill 294.]

BOURNEMOUTH CORPORATION BILL [Lords].

Read the first time; and referred to the Examiners of Petitions for Private Bills.

PETITIONS.

EAST INDIA (CONTAGIOUS DISEASES).

Petitions for alteration of law, from Gurdaspur; Gujranwala; Pollachi; Kachwa; Cuttack; Toringoo; Sukkur (two); Agra; and Neemeech; to lie upon the Table.

EDUCATION (SCOTLAND) BILL.

Petitions against, from Lochmaben; Partick; Leith; and Annan; to lie upon the Table.

ELEMENTARY EDUCATION BILL.

Petition of the School Board for London, for alteration; to lie upon the Table.

SALE OF INTOXICATING LIQUORS TO CHILDREN (No. 2) BILL.

Petitions in favour, from Sheffield; West Ward; and Liverpool; to lie upon the Table.

SMALLER DWELLINGS (SCOTLAND) BILL.

Petition from Partick, against; to lie upon the Table.

SUNDAY CLOSING (MONMOUTHSHIRE) BILL.

Petitions in favour, from Sheffield; and Liverpool; to lie upon the Table.

RETURNS, REPORTS, ETC.

FACTORY AND WORKSHOP ACTS (PARTICULARS OF PIECE WORK WAGES) (PEN-MAKING).

Copy presented, of Order of the Secretary of State, dated 12th July, 1900, applying, with modifications, the provisions of Section 40 of the Factory and Workshop Act, 1895, to Factories and Workshops in which is carried on the making of Pens [by Act]; to lie upon the Table.

ARRESTS FOR DRUNKENNESS (IRELAND).

Return presented, relative thereto [ordered 25th June; *Mr. William Johnston*]; to lie upon the Table, and to be printed. [No. 271.]

TRADE MARKS (FOREIGN COUNTRIES) (COMMERCIAL, No. 2, 1900).

Copy presented, of Reports from Her Majesty's Representatives Abroad on Trade Marks Laws and Regulations. Part I. [by Command]; to lie upon the Table.

RAILWAYS ABANDONMENT.

Copy presented, of Report by the Board of Trade respecting the London, Walthamstow, and Epping Forest Railway (Abandonment) Bill and the objects thereof [pursuant to Standing Order 158A]; referred to the Committee on the Bill.

PUBLIC WORKS LOANS BILL.

Copy ordered, "of Statement of Particulars of Loans of which the balances outstanding are proposed to be written off (in whole or in part) from the Assets of the Local Loans Fund."—(*Mr. Hanbury.*)

Copy presented accordingly; to lie upon the Table, and to be printed. [No. 272.]

TRAMWAYS ORDERS CONFIRMATION (No. 4) BILL.

Copy ordered, "of Memorandum stating the nature of the Proposals contained in the Provisional Orders included in the Tramways Orders Confirmation (No. 4) Bill."—(*Mr. Ritchie.*)

QUESTIONS.

CHINA—ANTI-FOREIGN OUTBREAK—COMMAND OF THE ALLIED FORCES.

MR. DILLON (Mayo, E.): I beg to ask the Under Secretary of State for Foreign Affairs whether it is proposed to put the allied forces at Tientsin under the command of a Japanese general officer; and who is in command of the allied forces at present, and who is it proposed to put in command when the advance on Peking commences.

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Mr. BRODRICK, Surrey, Guildford): I am unable to make any statement on this subject at present.

MR. DILLON: Does the right hon. Gentleman refuse to inform the House of Commons whether there is any Commander-in-Chief at the present moment in command of the allied forces at Tientsin?

[No answer was given.]

MR. DILLON: The House of Commons is being treated as it deserves.

COMMUNICATIONS WITH THE CHINESE GOVERNMENT.

MR. DILLON: I beg to ask the Under Secretary of State for Foreign Affairs whether a telegraphic despatch from the Government of China has been communicated within the last few days by the Chinese Ambassador to Her Majesty's Government; whether in that despatch the Chinese Government disowns all responsibility for the proceedings of the Boxers, and attributes a large share of the disasters which have occurred to the attack by the allied Admirals on the Ta-ku forts; and whether this despatch will be laid immediately upon the Table of the House.

*MR. BRODRICK: A despatch purporting to proceed from the Emperor of China was received yesterday. I am not at present able to say whether it will be possible to include it in the Papers to be presented to Parliament.

MR. DILLON: Does the right hon. Gentleman refuse to inform the House of Commons whether a despatch from the Chinese Government has been received by Her Majesty's Government?

[No answer was given.]

MR. DILLON: I shall repeat the question on Monday.

MR. GIBSON BOWLES (Lynn Regis): Can the right. hon. Gentleman say whether the despatch has come through the usual official channels?

[No answer was given.]

RECENT NEWS—THE SITUATION AT PEKING.

SIR H. CAMPBELL-BANNERMAN (Stirling Burghs): Can the right hon. Gentleman say whether he is obliged to confirm the terrible news we have received from China?

*MR. BRODRICK: No, Sir; we have no confirmation of the news. The telegraph is not working between Shanghai and Cheefoo. We are unable, therefore, to obtain any information at present. The land telegraph lines have been cut, and we are unable to hold any communication with our own naval officers at present.

THE CAPTURE OF THE TA-KU FORTS.

MR. DILLON: In the vain hope of getting information I beg to ask the Under Secretary of State for Foreign Affairs whether he is now in a position to

state to the House the grounds on which the allied Admirals justify their attack on the Ta-ku forts.

*MR. BRODRICK: The forts opened fire on the allied forces, but the operations of the Chinese in reinforcing Ta-ku, attacking Tong-ku, opposite Ta-ku, and mining the mouth of the Peiho would have made it necessary in any case to seize the forts before the relief of Tientsin could be attempted. Admiral Bruce stated that the capture of the forts had been effected only just in time. It was imperatively necessary to maintain communications with Tientsin and Admiral Seymour's force.

MR. DILLON: Is it not the fact that the forts opened fire only after notice had been served on them that the allied forces would take possession in the course of a few hours?

[No answer was given.]

EXPORTS OF WAR MATERIAL TO CHINA.

MR. WARNER (Staffordshire, Lichfield): I beg to ask the Under Secretary of State for Foreign Affairs if the exportation of arms to the Chinese by private firms has been stopped; and, if so, since what date.

*MR. BRODRICK: No general prohibition prohibiting the export of arms to China has been issued, but steps are being taken to watch the destination of any munitions of war sent to that country.

MR. DILLON: Then are we to understand that, in view of the position now prevailing, it is the case that British firms are at liberty to supply munitions of war to the Chinese?

[No reply was given.]

MR. DILLON: It is a monstrous outrage.

SOUTH AFRICAN WAR—KOORN SPRUIT DISASTER.

MR. SWIFT MACNEILL (Donegal, S.): I beg to ask the First Lord of the Treasury if he can state on what grounds has the name of the officer responsible for the capture of the convoy and British guns at Koorn Spruit on 31st March been withheld from the public, despite repeated requests for its disclosure, when the names of officers, including the name of Sir Redvers Buller, who have been responsible for other mishaps to British troops, have been freely communicated.

THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.): I have nothing to add to the answer which I have already given to the hon. Gentleman on this subject.

MR. SWIFT MACNEILL: Then I will ask the right hon. Gentleman whether there is any distinction——

*MR. SPEAKER: Order, order! The right hon. Gentleman has stated that he has nothing to add.

MAJOR RASCH (Essex, S.E.): May I ask whether it has occurred to the right hon. Gentleman that at least 100,000 men must be in possession of the information which is refused to the House of Commons?

MR. A. J. BALFOUR: I should imagine that no one in South Africa is in possession of the information except the Commander-in-Chief and his immediate staff.

LINDLEY DISASTER—DESPATCHES.

MR. SWIFT MACNEILL: I beg to ask the Under Secretary of State for War whether the despatches with reference to the disaster to the Imperial Yeomanry at Lindley have yet reached the War Office, or, if they have not arrived, at about what date may they be expected.

*THE UNDER SECRETARY OF STATE FOR WAR (Mr. WYNDHAM, Dover): I am not prepared to answer questions as to the arrival or non-arrival of particular despatches. Except for telegraphic news, we have received no information as to any recent operations in South Africa.

MR. SWIFT MACNEILL: Is Lindley a recent operation, about which no despatch has been received?

*MR. WYNDHAM: The hon. Gentleman is endeavouring to elicit an answer which I have said I am not prepared to give. I am not prepared to discuss the

arrival or non-arrival of despatches on particular operations.

DELAY IN NOTIFICATION OF SOLDIER'S DEATH.

MR. SWIFT MACNEILL: I beg to ask the Under Secretary of State for War if he can explain why the death of Private C. Barker, who died from enteric fever at Kloof Camp on 15th January, was not announced till 10th July, six months after his decease.

*MR. WYNDHAM: The information was furnished in a telegram from Cape Town dated the 9th instant. A telegram has been despatched to Cape Town questioning the accuracy of the date of death.

RELEASE OF BRITISH PRISONERS.

GENERAL RUSSELL (Cheltenham): I beg to ask the Under Secretary of State for War whether he has any information to the effect that the 800 British prisoners of Yeomanry and Sherwood Foresters recently sent across the Natal Frontier were in a starving condition, and had been obliged to replace their own clothes by the cast-off garments of the Boers; and, if so, whether the Government have now in store in Natal ample supplies of warm and other clothing sufficiently to equip these returned prisoners.

*MR. WYNDHAM: We have no information beyond what has been stated in the press. There are ample stores in Natal to reclothe these men.

CHAPLAINS WITH THE TROOPS.

MR. TALBOT (Oxford University): I beg to ask the Under Secretary of State for War whether he will lay upon the Table a statement of the number of chaplains attached to the forces in South Africa, specifying the religious denominations to which such chaplains belong.

*MR. WYNDHAM: The War Office has sent to South Africa, or given direct authority for employing, forty-nine Church of England chaplains, nine Church of Scotland and other Presbyterians, twenty-two Roman Catholics, and five Wesleyans. These are net figures, not including those who have died or been invalided. Besides these, the Commander-in-Chief in South Africa has had a free hand to employ colonial clergy, and large numbers of all denominations mentioned are known to have been employed, but no returns of their numbers or denominations have been sent to the War Office.

RETIRED ARMY MEDICAL OFFICERS RECALLED TO ACTIVE SERVICE.

MR. SWIFT MACNEILL: I beg to ask the Under Secretary of State for War if he can state what is the number of the retired army medical officers who are liable to be recalled to service since the outbreak of hostilities in the Transvaal, and how many are now with the Field Forces in South Africa, or in hospitals at the bases.

*MR. WYNDHAM: There are ninety-eight retired Army medical officers liable to recall. Of these eighteen are holding permanent appointments reserved for officers on retired pay. The services of twenty-five others who volunteered to return to the service have been accepted, and they have been employed at home and abroad. None have been recalled by compulsion. Four officers are employed in South Africa and on hospital ships.

MR. SWIFT MACNEILL: Out of ninety-eight officers on the retired list, only four are employed in South Africa?

*MR. WYNDHAM: Yes, Sir; but twenty-five others are employed elsewhere. The eighteen who are holding permanent appointments are officers of high rank, and it is thought better to employ in South Africa young civilian doctors who have more recent experience of hospital work.

MILITIA OFFICERS AND LINE COMMISSIONS.

MR. SWIFT MACNEILL: I beg to ask the Under Secretary of State for War if he will explain why subaltern officers of Militia regiments, now attached to Line battalions in South Africa, performing the same duties as the regimental officers, and subject to the same risks of death or wounds in the field, or disease, are not, when occasions arise, given commissions in the Line, while captains and subalterns from Volunteer regiments, who have seen no service, are appointed to the vacant places; whether the War Office is averse to giving a commission to a man under twenty-one years of age; whether colonels in command have been privately cautioned not to recommend for

commissions men under the age of twenty-one; and can he say why young men who have served in the campaign should be debarred, if otherwise deserving, on the ground of their youth, of preferment, having regard to the fact that they have been in charge of troops on the battlefield.

*MR. WYNDHAM: The commanding officer of every Militia battalion has been asked to recommend two of his officers for commissions in the Line, provided they are between the ages of twenty and thirty and unmarried; and in many cases officers attached to Line battalions in South Africa have been recommended and given commissions. Candidates for direct commissions, if taken below the age of twenty, would unfairly supersede the cadets at the Royal Military College and candidates who present themselves for the Militia examination. They would also be less fitted to stand hardships in the field than older men. Any Militia officer may be given a Line commission for distinguished service, irrespective of age.

EXAMINATION FOR COMMISSIONS.

MAJOR RASCH: I beg to ask the Secretary of State for War whether paragraph 6, Regulations for Commissions, provides that applications for competition must be forwarded by 15th July; whether it has been stated that certain modifications will be made; and whether, as it is now within three days of the date on which applications can be received, the War Office will consider the propriety of stating the precise nature of the alterations, the date of examination, and the number of commissions offered.

*MR. WYNDHAM: The notice will appear in the newspapers to-morrow morning. The period for making applications is extended to August 15th for candidates at home, and to September 15th for candidates abroad.

PATRIOTIC FUND—WIDOWS' ALLOWANCES.

MR. GALLOWAY (Manchester, S.W.): I beg to ask the First Lord of the Treasury whether the Patriotic Commissioners have increased the grants given by them per week to widows not receiving assistance from what the Commissioners call overlapping funds, to an amount equal to that to which they have reduced the total allowance from all sources paid to widows receiving such assistance; and, if not, what steps (if any) the Government propose taking to prevent the Patriotic Commissioners from adding to their already large accumulations by this reduction of grants now given to widows receiving assistance from so-called overlapping funds.

MR. A. J. BALFOUR: I understand from the Patriotic Commissioners that no arrangements which they have made will lead to the accumulations of the funds which the hon. Gentleman fears.

AIRDRIE VOLUNTEERS—DISBANDMENT.

MR. JOHN WILSON (Falkirk Burghs): I beg to ask the Under Secretary of State for War whether the General commanding the forces in Scotland reported adversely as to the reinstatement of the disbanded Airdrie Volunteers.

*MR. WYNDHAM: The hon. Member received an intimation in May that General Turner, the Inspector General of Auxiliary Forces, would be happy to discuss this question with him if he would call. I submit that that is the best course for him to follow. In reply to a further question by Mr. Wilson, Mr. Wyndham said the last official report was dated two years since. The hon. Member had better discuss the matter with the proper military authorities.

MR. JOHN WILSON: Will you show me the Report?

*MR. WYNDHAM: I will consider that, but the hon. Member had far better pursue the proper course in the matter, and consult the Inspector General of Auxiliary Forces.

PRISON OFFICIALS VOLUNTEERS—CAMP LEAVE.

MR. LLOYD MORGAN (Carmarthenshire, W.): I beg to ask the Under Secretary of State for War whether any arrangements have been made by which warders and assistant warders in Her Majesty's prisons who are volunteers will be granted special leave to attend camp; and if so, whether he will state what the arrangements are.

*THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (SIR M. WHITE RIDLEY, Lancashire, Blackpool): No special arrangements have been made, but applications are dealt with as received under the Treasury Circular of the 10th of May, and every facility is given consistently with the needs of the service.

UNDER AGE RECRUITS—CASE OF MICHAEL FARRELL.

MR. WILLIAM REDMOND (Clare, E.): I beg to ask the Under Secretary of State for War whether he will inquire if Michael Farrell, of Scariff, when under age, recently enlisted in the 2nd Battalion Royal Irish Fusiliers, now serving in England, and that his discharge has been claimed by his father; and whether he will order his discharge.

*MR. WYNDHAM: The widowed mother of this soldier has asked for his discharge, and has asserted that the written consent to his enlistment which stands under her name was not really given by her. The facts are being investigated, and if Mrs. Farrell's assertions are correct her request will be granted.

MILITIA OFFICERS AND POLITICS—POSITION OF M.P.'S AND CANDIDATES IN THE MILITIA.

MR. WARNER: I beg to ask the Under Secretary of State for War if the Queen's regulation forbidding officers on full pay attending political meetings applies to Militia officers who are Members of Parliament or candidates; and, if so, if the regulation would be temporarily suspended in case of a General Election, or would candidates be seconded.

*MR. WYNDHAM: The Queen's Regulations apply to officers of embodied Militia; the question of providing for the case of Members of Parliament and Parliamentary candidates will be considered.

ROYAL RESERVE REGIMENTS—OFFICERS.

MR. WARNER: I beg to ask the Under Secretary of State for War how far the War Department has been successful in providing officers for the Royal Reserve battalions and cavalry regiments, and what is now the average number of officers per 1,000 men in the Royal Reserves.

*MR. WYNDHAM: The number of officers is still insufficient. The proportion at present is twenty-four per thousand men in the cavalry and fourteen in the infantry.

VOLUNTEERS AND ACTIVE SERVICE—THE NEW GOVERNMENT PROPOSALS.

MR. WARNER: I beg to ask the Under Secretary of State for War if the draft order issued by the War Office early this week, inviting Volunteers to undertake the liability of being called out for actual military service or service abroad, can be carried out before the Bill to amend the Volunteer Act now down for Second Reading has been passed and received the Royal Assent; and if the action of the War Office in issuing this order is sanctioned by the Secretary of State for War.

*MR. WYNDHAM: No, Sir; the Paper referred to was laid in order to give hon. Members an opportunity of judging the scope of the Government proposals before they come up for discussion.

3RD BATTALION GORDON HIGHLANDERS—RECENT INSPECTION.

MR. JOHN WILSON (Falkirk): I beg to ask the Under Secretary of State for War if he is aware that, at the recent inspection of the 3rd Battalion Gordon Highlanders at Edinburgh by the General commanding the forces in Scotland, two hours were spent in endeavouring to get their toes into line and their thumbs straight; and if, after our experience in South Africa, he will direct that less time be given to such details, and more to such essential training as fire discipline, taking cover, and other exercises.

*MR. WYNDHAM: Nothing is known of the alleged incident, and the Secretary of State for War does not propose to interfere with the discretion of the General Officer commanding the Scottish District.

VOLUNTEER COMMANDING OFFICERS AND ARMY CONTRACTORS.

Mr. JAMES LOWTHER (Kent, Thanet): To ask the Under Secretary of State for War what action it is intended to take in view of the direct encouragement to fraud embodied in the openly expressed intention of certain officers com-

manding regiments of reserve forces to expend public funds upon purchases from persons whose names have been officially notified as having been struck off the War Office list for supplying defective goods for the use of Her Majesty's troops.

*MR. WYNDHAM: In cases where there has clearly been fraud or serious misconduct on the part of the contractors, the Secretary of State is prepared to order the commanding officers of Volunteer corps to cease dealing with persons whose names have been struck off the War Office list. He hopes, however, that, without any instruction on his part, Volunteer commanding officers will avoid dealing with all such persons.

1ST VOLUNTEER BATTALION ROYAL WELSH FUSILIERS.

MR. HOWELL (Denbigh Boroughs): I beg to ask the Under Secretary of State for War whether he is aware that the 1st Volunteer Battalion Royal Welsh Fusiliers, which is going into camp on Saturday next 1,070 men strong, is only in possession of 670 rifles; and whether he can state when the battalion will receive its proper number of rifles.

*MR. WYNDHAM: The 369 rifles demanded will be issued as soon as possible, but the demand for 276 of these was only received at Weedon on the 9th instant. An explanation will be called for from the Volunteer battalion.

WELSH FUSILIERS VOLUNTEER BATTALION OFFICERS AND THE "FLASH."

MR. HOWELL: I beg to ask the Under Secretary of State for War whether the officers of the Volunteer battalions of the Royal Welsh Fusiliers are entitled to wear the "flash," which is part of the uniform of the Regular and Militia battalions of this regiment.

*MR. WYNDHAM: Permission to officers of the Volunteer battalions Royal Welsh Fusiliers to wear the "flash" was granted on the 7th instant, and has been duly notified to the district.

MILITARY LANDS IN COUNTY DOWN.

MR. MACALEESE (Monaghan, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland is he aware that the Belfast Water Commissioners object to the War Office taking up for military purposes that portion of the Mourne District, in county Down, which forms the catchment area of the Belfast waterworks, upon which about a million pounds have been expended in the interest of the health of the citizens of Belfast; and will the War Office scheme be persisted in, in the face of this complaint, while plenty of ground is available in other districts where no such objection exists.

*MR. WYNDHAM: It is not believed that the use of the land authorised by the Bill could affect injuriously the Belfast water supply. Every endeavour will, however, be made to meet the wishes of the Commissioners.

SUGAR BOUNTIES ABOLITION—NEGOTIATIONS WITH FOREIGN GOVERNMENTS.

MR. LAWRENCE (Liverpool, Abercromby): I beg to ask the Under Secretary of State for Foreign Affairs whether there are any negotiations proceeding with reference to the abolition of the sugar bounties, either on the part of Her Majesty's Government with foreign Powers or among such Powers themselves.

*MR. BRODRICK: No negotiations on the subject are now proceeding on the part of Her Majesty's Government, but there is reason to believe that certain communications have recently passed between some foreign Governments relative to the abolition of sugar bounties. Her Majesty's Government have not yet learnt whether those communications are likely to lead to any practical result.

PALMISTS AND FORTUNE TELLERS IN WEST LONDON.

GENERAL RUSSELL: I beg to ask the Secretary of State for the Home Department whether his attention has been called to the advertisements of palmists, fortune tellers, and other necromancers who now ply their trade in the West End of London; and whether, seeing that poor gipsies who practise the same calling are prosecuted and punished for obtaining money by false pretences, the Public Prosecutor intends to take a similar action against these fashionable soothsayers.

MR. MORE (Shropshire, Ludlow): I should like to ask the right hon. Gentleman, before that question is answered, whether he is aware that in a case tried before Mr. Fenwick at Bow Street it was stated that there were twenty letters produced from ladies who said that they had consulted these parties against the wishes of their husbands, and that——

*MR. SPEAKER: Order, Order!

*SIR M. WHITE RIDLEY: In my view the important question to consider in determining whether or not it is desirable to prosecute such persons under the Vagrant Act, is whether or not the practice is followed with a view to fraud or other unlawful purpose. Acting on this principle the police have recently prosecuted to conviction a well-known West End palmist, and the conviction has just been upheld on appeal.

MR. FLYNN (Cork, N.): Is it a fact, may I ask, that these parties were visited by bishops?

*SIR M. WHITE RIDLEY: All the more reason why they should be prosecuted.

PAY OF THE METROPOLITAN POLICE.

CAPTAIN NORTON (Newington, W.): I beg to ask the Secretary of State for the Home Department whether he is aware that the Corporation of the City of London have recently instructed the Police Committee to consider and report as to the advisability of increasing the pay of the City Police Force; and whether he will consider the advisability of increasing the pay of the Metropolitan Police Force.

*SIR M. WHITE RIDLEY: The answer is in the negative.

BOARD OF TRADE ADVISORY COMMITTEE ON LIGHTHOUSE WORKS, ETC.

MR. NICOL (Argyllshire): I beg to ask the President of the Board of Trade whether he will print and publish the Report presented to him by the Advisory Committee on new Lighthouse Works, etc., after their meeting with the representatives of the three Lighthouse Boards at the Board of Trade.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. RITCHIE, Croydon): No, Sir. I do not propose to publish the letter referred to by my hon. friend. The negotiations with the Advisory Committee are far more likely to have the useful effect which I hope will result from them if the communications are treated as confidential.

LIGHTHOUSE COMMUNICATION—WIRELESS TELEGRAPHY.

*SIR J. COLOMB (Great Yarmouth): I beg to ask the President of the Board of Trade whether experiments in wireless telegraphy conducted with an apparatus on the East Goodwin light-vessel were successful, and whether the apparatus has since been removed and nothing further done.

MR. RITCHIE: I understand that the experiment of establishing electrical communication with the East Goodwin light vessel was regarded as successful. The experiment having been completed the apparatus was removed, and the whole question of electrical communication with light stations has, as I stated in my reply to a question addressed to me on the 10th instant by the hon. Member for Cambridge, been referred to an Inter-departmental Committee.

*SIR J. COLOMB: I beg to ask the President of the Board of Trade what is the distance of the Borkum light-vessel from the receiving office in Germany, and what was the distance of the East Goodwin light-vessel from the receiving office in England; and whether, seeing that wireless telegraphic communication is now conducted between the Borkum light-vessel and the German shore, while no such communication exists between the East Goodwin light-vessel and the English shore, he will explain why arrangements for communication between a lightship and the shore can be made in Germany and not made in England.

MR. RITCHIE: I am not aware of the name of the receiving office in Germany with which the Borkum light-vessel is in communication, and I am, therefore, unable to state the distance between the office and the vessel. The distance between the East Goodwin light-vessel and the receiving office in England was about ten miles. The mere practicability of

establishing communication is, as my hon. friend will understand, not the only question to be considered. Very difficult questions of patent rights are involved, and the question how to deal with those rights needs careful handling.

MR. JAMES LOWTHER: Is the right hon. Gentleman taking steps to expedite the settlement?

MR. RITCHIE: I have communicated to the Inter-departmental Committee expressing the hope that they may speedily make their Report.

*SIR J. COLOMB: Who are the members of the Committee?

MR. RITCHIE: I cannot remember the names, but the Post Office, the Treasury, the Admiralty, and the Board of Trade are all represented.

OPHTHALMIC CASES IN METROPOLITAN POOR LAW SCHOOLS.

MR. FLOWER (Bradford, W.): I beg to ask the President of the Local Government Board if he can state the number of ophthalmic cases in the metropolitan poor-law schools, infirmaries, and workhouses, including those under the Metropolitan Asylums Board, on 1st July of this year.

THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr. T. W. RUSSELL, Tyrone, S.): I cannot give the information asked for as regards the 1st July, nor have the Local Government Board any recent Return as to the number of cases in workhouses and infirmaries. I may, however, state that on the 16th June last the number of these cases in metropolitan poor-law schools and under the managers of the Metropolitan Asylum District appears to have been 304.

MR. FLOWER: Is it not the fact that the Returns are made twice yearly—in July and December?

MR. T. W. RUSSELL: Not for workhouses.

SUTTON SCHOOLS—PROVISION FOR POOR LAW CHILDREN.

MR. FLOWER: I beg to ask the President of the Local Government Board if he can state what proposals of boards of guardians for disposing of the children on the dissolution of the Sutton Schools he has sanctioned, and is willing to sanction.

MR. T. W. RUSSELL: The Camberwell guardians are proposing to provide for the children belonging to their parish by the provision of scattered homes. The Local Government Board have approved of the hiring of twenty-two houses by them for this purpose, and of the purchase of a site for central headquarters. The Board have authorised the guardians of the four other poor-law unions in the district to acquire sites for the erection of schools, either on the cottage home system, or partly in cottage homes and partly in blocks, to accommodate not more than sixty children each.

CARMARTHEN PRISON — MISS BRYANT'S SUPERANNUATION.

MR. LLOYD MORGAN: I beg to ask the President of the Local Government Board whether his attention has been called to the case of Miss E. Bryant, acting matron at Her Majesty's Prison, Carmarthen, from 1877 to 1898; whether he is aware that in 1898 the justices of the peace for the county of Carmarthen granted her a superannuation allowance of £27 5s. 10d. per annum, and that the Carmarthenshire County Council, after obtaining the sanction of the Home Secretary, paid her the sum of £21 0s. 7d. in December, 1898, while in June, 1899, the Local Government Board auditor disallowed £19 11s. 9d. of the sum of £21 0s. 7d., and surcharged the chairman of the Finance Committee with the same; whether he is aware that in November, 1899, the chairman of the Finance Committee appealed to the Local Government Board against the disallowance, and can he state whether the question has yet been decided, and, if so, the decision arrived at; whether any, and, if so, what communication has passed between the Local Government Board and the Home Office in reference to the above matter; and whether, as owing to the dispute in question Miss Bryant is still unpaid, he will expedite the matter so as to enable the county council to pay the amount due to her.

MR. T. W. RUSSELL: The Local Government Board have received an appeal against the disallowance referred

to, but the appeal has not yet been decided. Legal questions of difficulty are involved in the case, and correspondence has taken place between the Board, the Home Office, and the Treasury with regard to it. The Board are now awaiting a communication from the Treasury on the subject, on the receipt of which they hope to be able to dispose of the appeal.

BRITISH EXPORTS OF WAR MATERIAL.

*Sir J. COLOMB: I beg to ask the Secretary to the Treasury whether the Customs Department notifies to the Admiralty and War Office respectively full particulars as to exportation of arms, ammunition, and warlike stores to foreign States and territories; and, if so, whether such notification is given by that Department to the Admiralty and War Office respectively at stated periods, or immediately the Board of Trade officials become aware of such shipments having been made; and, if at stated periods, whether monthly, quarterly, or otherwise.

The FINANCIAL SECRETARY TO THE TREASURY (Mr. Hanbury, Preston): Detailed Returns of war material and naval stores shipped at ports in the United Kingdom have been furnished by the Customs to the Admiralty at their request since June, 1889. These Returns are supplied as soon as practicable after shipment. Returns are not usually supplied to the War Office, which receives a quarterly statement from the Admiralty; but since the outbreak of the war the Director of Military Intelligence has been supplied, at his request, with Returns for South African ports.

HIGH WYCOMBE POST OFFICE.

Mr. HENNIKER HEATON (Canterbury): I beg to ask the Secretary to the Treasury, as representing the Postmaster General, if he will state the date of his decision that Flint House shall be used as the post office for High Wycombe; whether he is aware that nine-tenths of the adult inhabitants of the town protested against the course he is adopting, and that in one year the new post office could be constructed on the site approved by the postal authorities and by the municipal and other representative authorities of the town; and whether he has any objection to place the correspondence upon the Table, and give the House an opportunity of altering the decision of his permanent officials.

Mr. HANBURY: The Postmaster General has never altered the original decision that Flint House shall be used for the new post office at High Wycombe. He has received several deputations and representations both for and against the new street scheme, and he is aware that local feeling is much divided on the subject; but he is not aware that nine-tenths of the adult inhabitants of the town have protested against the course that is being adopted. A new post office could not be commenced until after the new street was completed, and then could not be finished in a year. The Postmaster General sees no sufficient reason for laying the correspondence on the Table.

Mr. HENNIKER HEATON: Has not a petition signed by nine-tenths of the inhabitants been received?

Mr. HANBURY: I cannot admit that any such petition has been received.

BLETCHLEY POSTMAN'S STRIPES.

Mr. STEADMAN (Tower Hamlets, Stepney): I beg to ask the Secretary to the Treasury, as representing the Postmaster General, on what grounds two stripes are withheld from postman White, of Bletchley, and for what reason the application he has sent in for his record has been refused.

Mr. HANBURY: White was deprived of his two good conduct stripes in January, 1898, for absenting himself from duty on an insufficient plea of illness, a form of irregularity of which he had frequently been guilty. The postman was informed of the cause of this punishment, and as the only reason he gave for asking for a copy of his record was to prove that he was "punished for illness in 1898," it was not considered necessary to comply with his request.

NATIONAL TELEPHONE COMPANY—ROYALTIES.

Mr. HENNIKER HEATON: I beg to ask the Secretary to the Treasury, as representing the Postmaster General, what is the amount paid by the National Telephone Company as royalty on their gross receipts last year, and where is this

sum to be found set forth in the public accounts.

MR. HANBURY: The amount paid by the National Telephone Company to the Post Office as royalty for the year ended the 31st March, 1900, is £134,115, and this amount will be included in the Finance Accounts (page 23) under the heading "Telegraph Service, Gross Receipts."

MR. HENNIKER HEATON: Is it possible to recognise the item?

MR. HANBURY: Yes; it is clear on page 23.

MR. GIBSON BOWLES: Does the Government propose to conduct opposition to the company in order to extinguish this receipt?

MR. HANBURY: Her Majesty's Government are acting in accordance with the wishes of Parliament, which has decided that there shall be competition.

POSTAL ARRANGEMENTS AT CULLYHANNA, CO. ARMAGH.

MR. T. M. HEALY (Louth, N.): I beg to ask the Secretary to the Treasury, as representing the Postmaster General, whether, seeing that the postal arrangements of Cullyhanna, county Armagh, have been admitted by the postal authorities to be defective, he will explain why the mail comes by car from Monaghan, a distance of thirty miles, although there is a railway station within seven miles of Cullyhanna, and the district of Crossmaglen is already served by day mail from this station, and its letters delivered every morning at 8.45 a.m., while letters in the same train for Cullyhanna are not delivered till the following day, being kept all night at Newtown Hamilton; will he explain why in the arrangements now being made to combine the service of the day and night mails in the Crossmaglen district and deliver them together, Cullyhanna is being excluded, although the new arrangements will operate within a mile of its boundary; and whether he can see his way to include Cullyhanna in the same district as Crossmaglen, and thus effect a considerable saving of expense in a combined delivery.

MR. HANBURY: Arrangements have not been made for a combined night and day mail service in the Crossmaglen district. At Crossmaglen itself there are two deliveries in the morning. The expense of affording a combined night and day mail delivery at Cullyhanna from Crossmaglen, as suggested by the hon. Member, would be considerable, and a later delivery would be involved in waiting for the day mail letters. The Postmaster General regrets that in the circumstances he would not be justified in authorising such an alteration.

IRISH TRAVELLING POST OFFICES—LAVATORY ACCOMMODATION.

MR. STEADMAN: I beg to ask the Secretary to the Treasury, as representing the Postmaster General, whether he is aware that the recommendations of the Tweedmouth Committee regarding lavatory accommodation on travelling post offices have not yet been made effective in Ireland, and that at present there are no lavatories attached to Irish travelling post offices; and whether, pending the carrying out of the Tweedmouth recommendation, any provisional arrangements in this matter could be made, and could he state definitely when the recommendation would become operative.

MR. HANBURY: As stated in answer to a similar question put by the hon. Member for Kilkenny on the 18th May last, lavatory accommodation is being provided in certain new mail carriages now being constructed in Ireland, but it is proposed not to provide it in the carriages at present in use until it is seen whether the accommodation is appreciated by the sorters in the new carriages. In a number of cases in which such accommodation has been afforded in England, the men, although they asked for it in the first instance, have, after experience, applied that it might be withdrawn.

COOTEHILL (CAVAN) POSTMASTERSHIP.

MR. SAMUEL YOUNG (Cavan, E.): I beg to ask the Secretary to the Treasury, as representing the Postmaster General, with reference to the recent appointment of postmaster of Cootehill, county Cavan, would he state to the House what are the precise qualifications and experience of the new postmaster; whether he is aware that for nearly fifty years the office has been managed by

women, and can he say whether any complaint of inefficiency was made during that time; whether one of the female applicants for the post holds the Civil Service certificate, has had eleven years experience, and has had entire temporary charge of local offices; and can he state on what grounds a trader, untrained and inexperienced in postal affairs, has been appointed in preference to certificated female officials of eleven years experience.

MR. HANBURY: As explained already, it was considered desirable that this sub-office should be placed in the hands of a man, and it was for this reason that a woman was not appointed. The person selected is reported to possess the necessary capacity for the post, but the essential qualification in this case is that he is a man.

IRISH RURAL AUXILIARIES AND THE TWEEDMOUTH REPORT.

CAPTAIN DONELAN (Cork, E.): I beg to ask the Secretary to the Treasury, as representing the Postmaster General, whether the Tweedmouth Committee recommended any concessions, such as increase of wages, annual leave, Sunday and sick leave pay, uniform and overcoat and boot allowance, to Irish rural auxiliary postmen performing four hours duty daily; and will their case be favourably considered.

MR. HANBURY: No, Sir; Irish rural auxiliary postmen were not specially referred to by the Committee. These men do, however, share the privileges accorded to auxiliary postmen generally; and the Postmaster General is not aware of any reason for making exceptional arrangements in their favour. If the hon. Member can show me any cases in which they are not treated alike, I shall be glad to see into them.

MALLOW RURAL DISTRICT—ROAD REPAIR.

MR WILLIAM ABRAHAM (Cork County, N.E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that, at the last meeting of the Cork County Council, the Law Adviser informed the council that no moneys could be spent on the maintenance of certain roads in Mallow Rural District, until the district council formulated a proposal which should be approved at the next quarterly meeting of the county council in October, the result of which would be that these roads would be left derelict for over three months, and become both a danger and a nuisance; and will the Local Government Board, in view of these circumstances, consider the necessity of issuing an order to hand over the charge of the roads to the county surveyor, pending the formulation of a proposal and its acceptance by the county council?

THE CHIEF SECRETARY FOR IRELAND (Mr. G. W. BALFOUR, Leeds, Central): As regards the first paragraph, I stated yesterday that I understood the failure in this case arose from the fact that a sufficient number of members to constitute a quorum was not present at the meeting of the county council on the 17th May, which meeting had been duly appointed for the consideration of tenders for the maintenance of the roads in question. The Local Government Board are advised that they have no power to issue an Order as suggested in the second paragraph.

MR. WILLIAM ABRAHAM: Is the right hon. Gentleman aware that there can be no meeting of the county council before October? Will it not be a serious state of things for these roads to be left unrepaired till then? Cannot the Local Government Board act now as they did on a former occasion?

MR. G. W. BALFOUR: I will make further inquiries; but I think there must be some mistake on the part of the hon. Member. I am instructed we have no power to issue such an Order.

MR. WILLIAM ABRAHAM: Well, I will furnish the right hon. Gentleman with a copy of the Order made by the Local Government Board.

BUSINESS OF THE HOUSE.

MR. HERBERT ROBERTS (Denbighshire, W.): I beg to ask the First Lord of the Treasury whether he is in a position to state when the Indian Budget will be taken.

MR. A. J. BALFOUR: It will not be possible to take it next week, as all the days are allocated, but I hope to take it the week after.

GENERAL RUSSELL: I beg to ask the First Lord of the Treasury when it is proposed to take the Military Manœuvres Bill.

MR. A. J. BALFOUR: I am afraid I cannot give the hon. Member the information he asks for.

MR. CHANNING (Northamptonshire, E.): I beg to ask the First Lord of the Treasury when the Vote for the Colonial Office will be taken, and whether it can be taken next Friday.

MR. A. J. BALFOUR: I have already allocated next Friday to Irish Estimates, and I am not prepared to make any statement as to subsequent days.

MR. CHANNING: Why not the following Friday?

MR. A. J. BALFOUR: I cannot make any statement at present.

MILITARY MANŒUVRES BILL [Lords].

Ordered, That the Petition of the Belfast City and District Water Commissioners against dispensing with the Standing Orders, in the case of the Military Manœuvres Bill [Lords], be referred to the Select Committee on Standing Orders. —(*Mr. Caldwell.*)

HOSPITALS (EXEMPTION FROM RATES).

Report from the Select Committee, with Minutes of Evidence, brought up, and read. Report to lie upon the Table, and to be printed. [No. 273.]

STANDING COMMITTEES (CHAIRMEN'S) PANEL.

Mr. ARTHUR O'CONNOR reported from the Chairmen's Panel, That the Money-lending Bill [Lords], having been transferred from the Standing Committee for the consideration of Bills relating to Trade (including Agriculture and Fishing), Shipping, and Manufactures, to the Standing Committee for the consideration of Bills relating to Law, and Courts of Justice, and Legal Procedure, they had appointed Mr. Laurence Hardy to act as Chairman of the said Standing Committee in respect of the above-mentioned Bill.

Report to lie upon the Table.

AGRICULTURAL HOLDINGS BILL.

As amended, on consideration, to be printed. [Bill 293.]

SELECTION (STANDING COMMITTEES).

Mr. HALSEY reported from the Committee of Selection, That they had added to the Standing Committee on Law and Courts of Justice, and Legal Procedure the following fifteen Members in respect of the Money-lending Bill [Lords]:—Sir William Anson, Mr. Attorney General, Mr. Thomas Bayley, Mr. Birrell, Mr. Vicary Gibbs, Sir Cameron Gull, Mr. Hazell, Mr. Lyttelton, Mr. M'Ghee, Mr. Maddison, Mr. Marks, Mr. Purvis, Major Rasch, Mr. Steadman, and Mr. Lawson Walton.

Report to lie upon the Table.

MESSAGE FROM THE LORDS.

That they have agreed to the Ecclesiastical Assessments (Scotland) Bill, without amendment.

That they have passed a Bill intituled, "An Act to amend the Colonial Stock Acts, 1877 and 1892, and The Trustee Act, 1893." Colonial Stock Bill [Lords].

Also a Bill intituled, "An Act to amend the Law with regard to the Imitation of County Court Process." Imitation of County Court Process Bill [Lords.]

Also a Bill intituled, "An Act to amend and consolidate the Law relating to Literary Copyright." Copyright Bill [Lords.]

COPYRIGHT BILL [Lords].

Read the first time; to be read a second time upon Thursday next, and to be printed. [Bill 295.]

NEW BILLS.

MEDICAL ACTS AMENDMENT.

Bill to amend the Medical Acts, 1858 to 1886, ordered to be brought in by Sir Richard Jebb, Sir William Anson, Mr. J. A. Campbell, Sir Michael Foster, Mr. Lecky, Mr. Talbot, and Sir John Tuke.

MEDICAL ACTS AMENDMENT BILL.

"To amend the Medical Acts, 1858 to 1886," presented, and read the first time;

to be read a second time upon Thursday next, and to be printed. [Bill 296.]

PARLIAMENTARY VOTERS AND ELECTIONS.

Bill to amend the law relating to the qualification and registration of Parliamentary Voters and to Parliamentary Elections, and to the expenses of returning officers; and for other purposes in relation thereto, ordered to be brought in by Captain Sinclair, Mr. Billson, Mr. Birrell, Mr. John Burns, Mr. Dillon, Mr. Maurice Healy, Mr. Joseph A. Pease, and Mr. Seale-Hayne.

PARLIAMENTARY VOTERS AND ELECTIONS BILL.

"To amend the law relating to the qualification and registration of Parliamentary Voters and to Parliamentary Elections, and to the expenses of returning officers; and for other purposes in relation thereto," presented, and read the first time; to be read a second time upon Monday, 23rd July, and to be printed. [Bill 297.]

OIL IN TOBACCO.

Bill to restrict the amount of oil in manufactured tobacco, ordered to be brought in by Mr. Chancellor of the Exchequer and Mr. Hanbury.

OIL IN TOBACCO BILL.

"To restrict the amount of oil in manufactured tobacco," presented, and read the first time; to be read a second time upon Monday next, and to be printed. [Bill 298.]

SUPPLY [18TH ALLOTTED DAY].

Considered in Committee.

(In the Committee.)

CIVIL SERVICE AND REVENUE DEPARTMENTS ESTIMATES, 1900–1901.

CLASS II.

Motion made, and Question proposed, "That a sum, not exceeding £96,407, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1901, for the Salaries and Expenses of the Office of Her Majesty's Secretary of State for the Home Department and Subordinate Offices."

*SIR CHARLES DILKE (Gloucestershire, Forest of Dean): There has been some opportunity this session of considering labour matters in connection with the agricultural labouring class with fruitful results, and questions interesting also to miners have been discussed; but with regard to town labour little has been said, and subjects which are annually discussed by trades union representatives at their annual conferences have had little attention at the hands of Parliament; indeed, this Vote affords the only opportunity of raising them. I wish to begin my remarks by thanking the right hon. Gentleman the Home Secretary for having met us on one point which we put forward in the debate last year. On that occasion we moved the reduction of the Vote and carried it to a division, mainly on the ground of the extraordinary and increasing delay in the presentation to Parliament of the Annual Report of the Chief Inspector of Factories and Workshops, and of the accompanying documents which make it so important to the labour world. The right hon. Gentleman did not see his way to meet us on that occasion, but a month later, at the extreme end of the session, he came forward and voluntarily stated that he could procure a much earlier presentation to Parliament of the Report. He has kept his word, and so far as it was dependent upon him, I believe he more than kept his word, for while last year's Report was only circulated in February last, he promised that the Report should be presented this year as early as May, and he actually sent it to the printers in April; it was only delay in the correction of proofs, and in the printing office, for which he is in no way responsible, which caused circulation of the Report to be delayed until July. However, for what he has done we thank him, and therefore, in dealing with this matter to-night, I have to begin my speech by saying that, as regards the principal question we raised last year, we have been met and satisfied. I come to the Report which has just been laid before Parliament. In perusing it there appear to me to be several subjects which I cannot refrain from examining with some intention of censure. There are three matters with which I think it necessary to deal on this occasion. As to one of them I have little to say. Another relates to the question of phosphorus poisoning, which we have already dis-

cussed this session, with Mr. Speaker in the Chair. That discussion took place under limitations which resulted in certain matters being reserved for debate to-night. It also occurred at one o'clock in the morning, and, of course, at a time when we had not this Report. Still, as a report of the debate appears in *Hansard*,* I shall only deal with it briefly. The only matter on which I deem it necessary to detain the Committee is the question of lead poisoning in china and earthenware manufacture. The Home Office have shown that it undoubtedly believes there has been an enormous improvement produced by its work in this direction ; but I cannot admit the improvement, and can find little confirmation of it in the Report which has been laid before us. This is a matter which deserves most careful attention at the hands of this Committee to-night. On the 18th January last there was an interesting speech made by Mr. Rawdon Smith, who is in the confidence of the china manufacturers of this country. As an expert and a specialist he made a speech at the annual dinner of those manufacturers, and when I read some extracts I have made from that speech I think the Committee will agree as to the necessity of carefully watching what is done in this matter. When, for instance, we find such boasts made as that the china manufacturers of this country have broken down the efforts of the Home Office—efforts which we thought had been successfully made—it certainly does seem necessary that we should closely scrutinise what has occurred. At this dinner Mr. Rawdon Smith boasted that the four conditions which the Government wished to impose "were now gone."

> "Lead [he said] could now be used, and it was not intended to restrict it to 10 per cent. Instead of prohibiting the use of raw lead, manufacturers might now use a preparation of lead as soluble as raw. . . . . There was no reason why they should not have the age lowered from fifteen to fourteen for dipping-house lads."

The Committee will have to consider from the figures which have been placed before it whether it is true, as Mr. Rawdon Smith said, that the reason for retaining the higher age has gone, and I have no doubt that upon that point the Home Secretary will be able to agree with us that there is no reason whatever for lowering the age. Then Mr. Rawdon Smith went on to say that "by combination they had obtained almost everything"; and he added, I am sorry to say, "Every credit should be given to Mr. Walmsley" (Her Majesty's Inspector in the Potteries District.) When we discussed this question previously my hon. friend the Member for Battersea, alluding to that gentleman, suggested that, in view of the strong opinions he held, and of the attitude which he had taken up, it would be an advantage if he were promoted to another district, and it was partly in consequence of what we knew of him that we pressed so strongly for the appointment of a woman inspector in that district. Well, Mr. Rawdon Smith says of him that—

> "He gave judicious advice to the Department. . . . He [Mr. Smith] believed that the potting industry now stood well with the Home Office."

Of course, we all wish for every industry to stand well with the Home Office, but, certainly, in regard to this china industry, the speech from which I have quoted makes it all the more necessary that we should carefully scrutinise what has been and is being done. What are the figures as to this extraordinary improvement which we are told has taken place? Immediately after the speech of Mr. Rawdon Smith in January a series of prosecutions took place which were mentioned in this House by my hon. friend the Member for Berwickshire. They were prosecutions of leading firms, and they showed that even among the leading firms in the Potteries the special rules were not carefully observed. That is another matter deserving the attention of the Committee. Early this session the hon. Member for Stoke-upon-Trent, who represents a most important district in the Potteries, and who speaks with special knowledge of the views and feelings of the trade, put some questions which, I think, were intended to show that a great improvement had been effected. In answering those questions the Home Secretary adopted that view, and congratulated the country on the immense improvement which had taken place. He spoke of it as a steady improvement, and we who have been pressing for certain things to be done, and for the special rules to be enforced, of course, naturally hoped for and expected such an improvement. As regards the dry processes the

* See *The Parliamentary Debates* [Fourth Series], Vol. lxxxii., page 985.

use of fan ventilators no doubt has been productive of improvement, but I must point out that the figures quoted by the right hon. Gentleman in one of his replies, figures referring to the period since March, are, of course, vitiated by the great lock-out which occurred in March, April, and May. Many thousands of workpeople were affected by that lock-out, and therefore, in estimating the value of the figures, this consideration must be borne in mind. Now, figures which some of us have had means of obtaining privately have led us to doubt the steadiness of the improvement of which the Home Secretary spoke. We have certain means of obtaining figures from medical gentlemen in the Potteries through the Lead Fund, and these figures appear to be of a very alarming nature when they are looked into. I have no desire to horrify this House by making highly-coloured statements. I propose to give the bare statement of facts, and I think that will be sufficient to bring home to the minds of the members of this Committee the serious nature of the matters with which we are dealing. I have some figures which have been supplied by Dr. Prendergast as to cases which came under his notice between 27th July, 1898, and 8th April, in the present year. He had to deal with 290 cases of lead poisoning in that period, and more than half of them were the cases of women. Of these seven were mad, twelve totally blind, forty-six partially blind, and the rest were mostly paralysed. I merely mention these figures in order to show the grave character of this question.

MR. COGHILL (Stoke-upon-Trent): Are these official figures?

*SIR CHARLES DILKE: No. They are obtained from private sources—from medical officers of the Lead Fund. I am coming to the official figures presently. I am now merely pointing out the reason why I had grave doubts as to the reality of the steady improvement.

MR. JOHN BURNS (Battersea): The figures are from Dr. Prendergast, who, I have no doubt, will be willing to show his clinical note-book to anyone who desires to see it.

*SIR CHARLES DILKE: Besides the alarming number and character of these cases Dr. Prendergast points out the terrible destruction of infant life, for, in that same period, he recorded the deaths of twenty-four children of lead workers from convulsions, all these children being under one year of age. Next I come to the official figures. I quite recognise the right of the hon. Member for Stoke-upon-Trent to question any private figures, and I merely used these to show the reasons which weigh with some of us and cause us to view the official document with some jealousy. The tables for the past year will be found on page 375 of the Annual Report of the Chief Inspector of Factories and Workshops. They show in 1896, 1897, and 1898, not a steady diminution but a steady increase. We must take it as admitted that, in spite of the new rules which we are told have produced an immense improvement, in spite of the precautions which have been taken, there has been a steady increase in these three years; 1899 is said to be much better. I have examined the figures for that year—they will be found on page 311 of the Report—and I admit that, at first sight, they do seem to be much better. But the inspectors themselves point out that eleven cases had to be added in connection with litho-transfer works, which were not included on account of a change in the form of the tables, and there is also a note on pages 300–301 of the exclusion of another eleven cases in 1899, which were separate cases of second notifications affecting the same person. On page 312 is noted a new practice in regard to suspension. Before 1899 suspensions did not exist, but now it is the practice of the certifying surgeon to suspend from work an enormous number of persons who are suspected to be suffering from lead poisoning. In view of this practice it is very difficult indeed to deal with the figures for 1899, but I would suggest that the great majority of persons suspended from work must be taken to be persons who have already developed a mild form of lead poisoning. I put a question some time ago with a view to trying to distinguish between the dry and damp processes, and the Home Secretary has been good enough to issue a Return on the subject. It is undoubtedly the damp process which is most productive of disease. In the dry process great improvement has been brought about by the introduction of fan ventilation. But in the other process it

is the touching of a damp material which easily leads to lead poisoning. It is, however, almost impossible to carefully distinguish between the two processes as there are a large number of intermediate processes. It will be remembered that in the discussion which took place earlier in the session on the match industry it transpired that matches were sometimes boxed dry and sometimes damp, and the same commingling of processes takes place in the potting trade. The Return which the right hon. Gentleman has been good enough to give shows the number of cases of lead poisoning in the first five months of the present year. These figures are, of course, affected by the lock-out, and they would undoubtedly have been worse but for that lock-out. I do not think they can be said to show improvement; on the contrary, they show deterioration in the present year, as compared with 1899, especially in the case of women. The column referring to the china trade gives nine cases of females in the first five months of this year, as against eight cases in the whole of last year. The figures for the earthenware industry show the cases of thirty-nine women in the first five months of this year, as against eighty-three for last year. The Committee will see, therefore, that the figures are absolutely worse in the first instance, and relatively so in the second. The question of suspensions is dealt with on the last page of the Return, and I find that one hundred and three females were suspended last year, and forty-two in the first five months of the present year. More than half of these cases are cases of permanent and not of temporary suspension. The Committee will agree that these figures are grave, and that they hardly bear out the view that that steady improvement has taken place which we anticipated, and which in fact we are told has taken place. In letters which I have received on the subject one point has been raised which I should like to mention, although I do not wish to lay too much stress upon it. Persons who have watched these matters have reason to think that the apparently philanthropic practice adopted by some factory owners of appointing their own medical officer to attend their work people gratuitously has led to a certain amount of non-reporting, and that the number of cases is larger than has been actually reported. Manufacturers are more and more adopting this apparently philanthropic practice. Of course, the doctor so appointed does not supersede the certifying surgeon, but the latter not unnaturally may feel some delicacy in examining into a case which has already been seen and reported upon by another practitioner. However that may be in regard to non-reporting, the figures I have given are far from satisfactory. I cannot myself admit suspension from work as being a permanent remedy. It is a temporary remedy in its nature; it means, after all, in most cases after paralysis, loss of work, and dependence on charity throughout the remainder of life. That is not the remedy that we ought to look to; we must look to the causes of the sickness which can be prevented. I have always thought—and I have said it previously in this House—that, from the evidence which I have studied, it was possible to abolish the use of raw lead altogether. If it be not abolished, at least the employment of young persons in raw lead proceses might be prevented. The Home Office has not, up to the present time, followed the advice of its own experts in regard to fixing the standard of frits, or in excluding children, young persons and women from working in raw lead. There is a great contrast between the circular of December last contained in the Report of the Chief Inspector of Factories and Workshops and the language used by the Home Office expert himself, Dr. Thorpe, in a lecture delivered by him at the Royal Institution on 4th May this year. At page 13 of the Chief Inspector's Report is found the circular which gives a fresh period of delay as regards the ability to use raw lead; it postpones the adoption of a standard of safety in frits for two years; it permanently allows the use of raw lead in small quantities, and there is no restriction of the labour of women and young persons, as recommended by Drs. Thorpe and Oliver. At page 14 of the Chief Inspector's Report it is stated—and the statement follows those in the circular—that "rules are being drafted to carry out the views expressed above." The statement is very general and vague, and I do not know what it means. I wish to press the Home Secretary on this point. I want to know specifically if these rules which are being drafted are merely rules on frits and

glazes, or whether they are more general; and when they may be expected to be issued and become operative. I venture to contrast the Home Office statement with that of Dr. Thorpe, whom they themselves called in a few years ago. Dr. Thorpe, who is the director of the Government laboratory where all these tests are made, used language which is strong though guarded, and I should like to quote to the House a few words from a report of his lecture. I have two verbatim reports of that lecture—one which appeared in the *Staffordshire Sentinel* the day after it was delivered, and the other since published by the Royal Institution, which is apparently a revised report. In order to be perfectly fair to the Committee, I may mention that there is a slight difference between the two reports, due mostly to literary corrections in the revised one. Dr. Thorpe says—

"A number of manufacturers . . . are now producing lead frits, the solubility of which is even below the standard provisionally suggested in the Home Office circular of December."

And then he goes on to say—

"It must be clearly understood that complete immunity from lead poisoning can never be obtained so long as lead compounds continue to be used. The true solution is to be found in the more general adoption of leadless glazes. Leadless glazes of a high brilliancy and durability are perfectly practicable."

The revised report says—

"Leadless glazes of a sufficient brilliancy and durability and adapted to all kinds of ware are now within reach of the manufacturer."

Dr. Thorpe concludes by saying—

"There is no industry in the world so conservative as that of the potter."

He praises the great Wedgwood, who took advantage of all the discoveries of science in his time, and he contrasts his conduct with that of the potters of the present day, and he evidently thinks that if the latter followed Wedgwood's example, the result would be infinitely more to their advantage and the safety of their workmen. I think I have established the fact that the steady improvement that we were led to expect had already taken place is not to be found in the official figures themselves, and the House has some reason to press the Home Office not to depart from their good intentions of a year ago, as they seem to me to have departed, by weakening the circular, but to come up to the standard of their own experts, Drs. Thorpe and Oliver. Perhaps I shall not carry all my friends with me, but, personally, I believe that additional security would be gained for immunity from or diminution of suffering by the adoption of the proposal we made two years ago for the appointment of a permanent woman inspector for Staffordshire. I doubt whether the present inspectors are sufficient in number, and whether a flying visit of an inspector from London is sufficient to check the existing evils. The vast majority of the persons employed in the potteries are women, and we know that women are averse to speaking freely to male inspectors, who, even if sincerely desirous of enforcing the law, cannot get at the facts. It is on that matter that I shall move the reduction of the Vote of which I have given notice. There are other matters regarding phosphorus poisoning and the match trade which I wish to bring before the House before I sit down. At page 375 of the Chief Inspector's Report, and at page ix. of the Introduction to that Report, it is stated that there are "fewer instances of phosphorus necrosis reported in 1899 as compared with 1898." The Committee will remember that the cases in 1898 were unduly swelled by the extraordinary increase caused by the discovery of the previously neglected cases from Bryant and May's, and no comparison is therefore possible. As regards the new rules the Home Office, of course, make the admission in the Report that they are less stringent than had been proposed, but they claim that they are still far in advance of those previously in force. That I doubt. I may say in general terms that the new rules were framed on a low standard as compared with the suggestions of Drs. Thorpe, Oliver, and Cunningham in their special report to the Home Office. Just as I have complained in the case of lead poisoning, the Home Office have not come up to the requirements of their experts, even before the new rules were cut down. At page ix. of the Introduction to their Report we have the recommendations of the three doctors I have named, but few of these recommendations were adopted by the Home Office in the new rules. As an example of a rule recommended and not adopted I may quote the exclusion of children and young persons from the dangerous branches of the trade.

The Report of the Chief Inspector at pages 52-6 gives the rules both as the Home Office proposed them, and as they were issued after arbitration, and members of the Committee can compare them for themselves and judge. A power was inserted by the arbitrator—who, it must be remembered, was the Home Office arbitrator, sitting without the manufacturers' arbitrator—to suspend the rules, and the effect of that in the case of individual manufacturers is to enable employers to work under different rules, which is the very point to which the Home Secretary himself has most strongly objected. At page viii. of the introduction to their Report will be found the reasons given by Drs. Thorpe, Oliver, and Cunningham for periodical examination. These are that there is something beyond mere actual necrosis; there is the general effect of phosphorus on the system, which can only be detected in time by periodical examination. The Home Office attach the highest importance to periodical examination in regard to lead poisoning, and yet they cut out the rules that relate to periodical examination of the workers in phosphorus. The rules, which were originally weak, were further weakened, and are now out of date. Already Messrs. Bryant and May are working outside the rules, which really apply only to white phosphorus, and are entirely inapplicable to a large branch of the trade. Personally I believe that there is a chance of international action on this subject. The imported matches mostly ignite only on the box, and as regards "strike anywhere" matches Messrs. Bryant and May have shown us that perfectly safe matches can be manufactured. We have in the case of phosphorus what we have not reached in the case of lead—a stage of absolute certainty—the result being that Switzerland, who is in advance of us in these matters, prohibits the importation of dangerous matches. The matter is one of daily trade, and the condition of things disclosed in the report of Drs. Thorpe, Oliver, and Cunningham is such that the Home Office cannot contend that we are in this country up to the level of the Continental countries with regard to the match industry. There is one other point. The Annual Report furnishes a curious illustration as to the non-observance of the law with regard to Sunday labour in factories, especially in creameries. At pages 105 to 108 of the Report it is shown how the law is broken. The Report states that Sunday labour can be avoided, and shows how. It advises that the employers shall be told that the law in the future will be strictly enforced. But the course which is taken by the Home Secretary appears not to be to tell the employers that the law will be enforced, but rather to intimate to the employers that the law may be altered to suit their evil practices. When there is some objection to or some difficulty about applying the law the breaking of the law is encouraged by Ministers meeting a deputation and saying that the law shall be amended to suit their convenience. I thank the Committee for the kindness and courtesy with which they have heard me, and can only say that unless I hear something very different to what I have heard or read up to the present time on the first point I have raised, I shall feel it my duty to divide the Committee. I beg to move the reduction standing in my name.

Motion made and Question proposed, "That a sum, not exceeding £96,307, be granted for the said Service."—(*Sir Charles Dilke.*)

MR. DRAGE (Derby): I think the House is to be congratulated upon the admirable speech to which it has just listened, and also upon the fact that although the right hon. Baronet had all the materials to bring a very strong indictment against the Home Office, he has refrained from attacking it upon this subject. For the last three years hon. Members on both sides of the House have joined together in trying to help the Home Secretary and one another to bring about a practical reform, not only in the way of new legislation, but in the administration of the existing laws. The hon. Gentleman on my right will, I hope, presently deal exhaustively with this question, upon which he is a great authority. There are only one or two points upon which I will address the House. One is with regard to the employment of women inspectors. We have continually pressed that question upon the attention of the Home Secretary, and I hope that now, upon the new facts that have been placed before the right hon. Gentleman, he will see his way to bring about a reform upon which we all lay much stress. Another

direction in which we may do a good deal is in international action. We have pointed out to the Home Secretary that there has been a great opportunity for bringing about something like united action. I am aware that great difficulties lie in the way and have to be overcome, but a first step must be taken, and I suggest that it should be taken this year by those who represent the Home Office at the conference which is to be held at Paris. The Report that has been issued this year is the best Report, in my opinion, that was ever issued by the Home Office, and I should like to say it has saved us years and years of labour. It is a volume of 500 pages, full of all sorts of information, but I notice that it is absolutely innocent of any sort of index, and in consequence persons who wish to follow the substance of that Report have great difficulty in arriving at the facts and figures. With regard to the right hon. Baronet's suggestion as to the new rules, I think, as they were only issued last year, it is rather early to press the Home Secretary for definite information, although on that point the right hon. Gentleman will, I have no doubt, be able to give us some information later on. The Report is full of information obtained by the right hon. Gentleman from abroad. The Home Office I think has learned a great deal as to legislation and administration and inspection in foreign countries, and if that information could be systematized and brought within the reach not only of hon. Members but also of the large employers, very great steps in advance might be taken without the interference of the Home Secretary in the future. I should like again to call the right hon. Gentleman's attention to the absolute chaos which exists with regard to legislation affecting the employment of children in factories. I will not weary the Committee with what I said last year upon this point, but will merely draw attention to the fact that the number of statutes upon the Statute-book are perplexing in their variety, and I think some step should be taken by the Home Office to prepare the way for a codification of these statutes, and some effort should be made to bring the entire administration under one Department. Any person interested in the administration of the laws is aware that they go from one Department to another, and that it is almost impossible to get any satisfaction from them. There is one other point with regard to this. The Act introduced by the hon. Member for South Shields will only have the effect of forcing the children into the street, which is most undesirable, unless something further is done. There are still an immense number of accidents through cleaning machinery whilst in motion, and a great many evils with regard to children in factories, and there certainly ought to be some further information as to physical fitness. These are all matters which the Home Secretary can deal with in his administrative capacity, and if he causes his inspectors to be more active much can be done. The next point upon which we might ask for the views of the Home Secretary is with regard to the information contained in the present Report with regard to laundries; both as to meal times and sanitation there appears from the Report to be room not only for legislation, but for more active administration in the future. Then there is the point as to the organisation of the staff of the Home Office. We have also here, as elsewhere, to recognise the enormous improvements produced by the Home Secretary and the right hon. Gentleman who preceded him. The right hon. Gentleman was always thought to be extremely disregardful in these matters, but nobody can read the Report without acknowledging that great improvements have been brought about this last year. I really think, except in the case of one or two years when the late Home Secretary was in office, there has rarely been so much done in one year. I find in one case that no less than 29,662 entries have been made of factories and workshops in the register of the Home Office in the present year; that represents an immense amount of extra work, and I think the Home Secretary will have a very strong case upon which to go to the Treasury for assistance in this matter. More staff is required for special inquiry, and the right hon. Gentleman ought to have it. Many other improvements might be made in the administration of the Act, but, to my mind, anybody who reads the Report and compares the work done by the Department of the Home Office with the work done by any other body in Europe will find that the lead inspectors have done remarkably good work. I am aware that the right hon. Gentleman the Member for Oxford University is going to raise that question. The question of the Truck Acts has already been raised, and I know there are many hon. Members who have studied different matters

in the Report to which they will call the attention of the House. I will not trespass on the Committee longer. I should like to say to the Home Secretary that I consider the work done by his Department during the past year shows an advance on what has been done in any year since the Government came into office.

*MR. TENNANT (Berwickshire) said that in rising to take part in the discussion it was very satisfactory to be able to look at the pleasing side of the picture, and he wished to join the hon. Member for Derby in congratulating the right hon. Gentleman opposite on the changes which had occurred. In the first place, the earlier issue of the Report was a matter for considerable congratulation. The Report dealt with a wide area, and demonstrated very clearly the great benefit which had been derived from the re-organisation of the Department of which the right hon. Gentleman had charge. But it was not their business only to congratulate ministers upon what had already been done. They must look forward and therefore he turned to look at the other side of the picture. The future, he was sorry to say, was somewhat dark. There were many points to which he might refer in addressing the Committee, but perhaps he would be most usefully occupied if he spoke on the question of dangerous trades. He did not wish to be egotistical, but he must refer to the Committee over which he had the honour to preside from 1895. That Committee issued five Reports—the first in 1896, and the final last year. The Committee were given twenty-six trades to investigate, and of these they found seventeen which required special control. Special rules were recommended for these seventeen trades, but the Committee would be surprised to learn that in only two of them had the recommendations been adopted. How long it would require to put the whole into force at the present rate was a little difficult to ascertain, but he calculated that it would be not less than thirty-four years. He sincerely hoped that that calculation might be falsified, and that the recommendations would be embodied in special rules long before that time. He would like to give illustrations of the necessity for the embodiment of special rules for the trades which were inquired into, and in regard to which, so far, nothing had been done. He instanced bronzing and paper staining. The questions of air space, ventilation, overcrowding, heated rooms, and flaring gas jets were familiar to every reformer in the House. These were the evils which the Factory Acts were designed to meet. On these evils many eloquent passages had been written, but none more eloquent than were to be found in the Blue-book issued last week as to the difficulty of getting conditions suitable to the health and welfare of young girls where no dust was generated. How much more difficult must it be in cases where the industry was carried on under dusty conditions, and how much more necessary to have good ventilation, good air space, and no overcrowding in industries where there was dust. Bronzing and paper staining were both dusty industries. Bronze dust was constantly flying about in the atmosphere. He maintained in connection with these industries there ought to be some sort of standard of ventilation. Although a Report on the subject was issued four years ago, nothing had been done. He should like to read to the Committee an extract from the Report for 1898, where Mr. Sydney Smith says—

> "One girl, who had milk supplied twice daily, was suffering from severe nausea, and other symptoms of copper poisoning, at the time of my visit. She had not been employed more than three months. Her mother, whom I afterwards saw, told me that previously she had enjoyed the best of health, but since working with the bronze she had suffered from loss of appetite, dizzy pains in the head, constipation, and sickness."

These facts were not new. An exactly similar statement of facts was brought before the right hon. Gentleman some time ago, and yet, as he had said, nothing had been done. The next trade to which he wished to refer was that of inflammable paints, where there was one of the clearest cases possible for interference by the State. These quick-drying paints, which are used principally for ships, have for their base a spirit, instead of oil. He remembered that the Committee took a sample and had it analysed, with the result that it was found to have a flashing point below 45 degrees Fahr. He guaranteed that the atmosphere of that House was more than 45 degrees, and if that was so it could easily be imagined how dangerous such a paint as that must be for those using it. The substance was so inflammable that a gallon of it diffused in the air would make forty-eight cubic feet of air absolutely inflammable. Cases

of severe burning constantly occurred. On account of the ignorance of the people substances of this kind were constantly used in confined places, such as bunkers and the holds of vessels, where artificial light was required. The Committee made five distinct recommendations. They recommended that these inflammable paints should not be used (1) in any confined space; (2) where artificial light other than electric light was used; (3) for a longer period than five hours a day, nor more than two and a-half hours at a time; (4) by any young person; (5) by less than three men without the foreman visiting them every hour. With regard to the question of file cutting, the Report issued last week (page 306) says—

"It will be noticed that in this industry the percentage of severe attacks is highest. The number of chronic cases is very large. The number of cases in which paralysis appears as a symptom is greatly in excess of any other industry, and justifies what was said in the last annual report, that in no employment where lead is used do the symptoms suggest so much incapacitating illness as file cutting."

He thought it would be unnecessary to go any further than that, for it must be obvious that file cutting was an industry which ought to be carried on under such rules as would give protection to the workers. Passing to the question of railway accidents inside factories, he said that last year he put a question to the right hon. Gentleman the Home Secretary when an accident occurred inside a works at Sheffield. The right hon. Gentleman said there was a Royal Commission sitting inquiring into the subject of railway accidents, and he thought the question might be dealt with by them. He wrote to Lord James, the Chairman of the Commission, who thanked him for bringing the matter before his notice, but stated that, much as he would like to be able to interfere, he did not think the matter was one that came within the scope of his inquiry. He then brought the matter before the right hon. Gentleman the President of the Board of Trade, who referred him to the Home Office, but the Secretary of State replied that he had really no jurisdiction over private sidings. In the Committee upstairs on the Railways (Prevention of Accidents) Bill, he referred to what Mr. Whitelegge stated in evidence before the Royal Commission (No. 787)—

"We do not regard a private siding as coming under the Factory Department, so far as it is outside the curtilage of the factory itself."

Mr. Tennant.

Mr. Hopwood, who was examined before the Royal Commission, speaking of accidents, said (No. 791)—

"We think we do not get the whole [cases reported], because it is not clear under the Act of Parliament that there is any obligation on the part of the company to report them."

Yet fifty-six fatal accidents occurred in 1898, and were reported (No. 775). They knew perfectly well that when there was an obligation to report, accidents were sometimes not reported; and it stood to reason that where there was no obligation to report, accidents might occur on factory sidings which they did not hear about at the Home Office. He begged the right hon. Gentleman to take this matter into consideration, because he could not help thinking that this was one requiring interference. Why had nothing been done? The right hon. Gentleman would probably say that something had been done. He would turn to page 18 of the Report, where, with regard to Bessemer converters, it states—

"In view of the general compliance with the recommendations of the Committee it was not considered necessary to take any further steps for the present in the establishment of special rules."

The right hon. Gentleman would say they had got the recommendations adopted without going to the expense of issuing special rules. His argument would be that they should not go to the trouble and expense of issuing rules if they could get what they wanted in this way. If the desired result was secured by the adoption of suggestions and recommendations without friction, delay, and trouble, it meant that ease was purchased at the expense of uniformity of administration and of security of law. The Home Office was abrogating the rights of its position; instead of insisting upon the law being enforced it placed itself in the position of a suppliant, and that was a position it had no right to occupy. He desired also to refer to last year's Report of the chief inspector in reference to the question of bronzing. On page 136 there were these words—

"Milk is not given to the workers engaged in the process except in a few cases, though I have been informed by several occupiers that formerly this was the general custom in the trade. Several gave as an excuse for discontinuing the practice—'present trade competition'; none, however, offered any objection to provide milk if all were compelled to do the same."

That was just the point. If all were compelled to do the same, the thing would

be done. He would like to give another illustration from the same Report—

"A woman who had been employed for six months, suffering from ophthalmia and eruptions on the face, complained of nausea. I advised the manager to change her to some other work, which has been done with beneficial results."

Could a plainer illustration be given? If there had been special rules enjoining periodical medical examination there could not be the slightest doubt that the woman would never have had ophthalmia or eruptions, but as it was, if this inspector had not been one of the best, the woman in all probability would have been going on still. Moreover, if the Home Office, instead of having special rules, continued to rely on its power of persuasion, employers might at first agree to its suggestions, but if in putting them into operation they turned out to be more expensive than was anticipated the employers might then object and refuse to carry them out. What the public desired and demanded, both in the interest of the workers and in the interest of fairness as between competitive firms, was that there should be uniformity of administration and security of law. Mr. Sydney Smith, of Manchester, illustrates this need in the Report for 1899; he says—

"At the present time some occupiers seem to think that any trough or bucket is a suitable washing convenience. Working men require educating somewhat in these matters, and will wash themselves, but require a little tempting and coaxing. This, at least, is my experience. If proper accommodation is provided at hand they will wash, but if the accommodation is defective or dirty, or even worse, we cannot blame them if they neglect this precaution."

That pointed clearly to the difficulty of the ordinary definition of "suitable and sufficient," which should be met by special rules. Mr. Jackson, of Walsall, said—

"Almost all file cutters' shops in this district are low, with bad floors (usually earth), ill ventilated, crowded to their full legal capacity, and the washing accommodation that I have been able to get provided consists generally of a bucket or basin with a tap some distance away."

That showed that the inspectors were at a great disadvantage in not having any legal power. Was it surprising that there was great difficulty in keeping the industrial population free from poisoning owing to the trade in which they were engaged? There was another point, and that was one referred to in the final Report of the Dangerous Trades Committee, in regard to deaths or illness reported as being due to causes other than those to which they should really be attributed. The Committee, on this point, reproduced in their report a paragraph from the Report of the Registrar General of Births, Deaths, and Marriages, in which it was stated that certain figures

"leave no room for doubt that the deaths which are definitely certified as due to plumbism constitute but a small proportion of the deaths really due to poisoning by lead among workers who are exposed to its influence."

The Committee made definite suggestions to the Home Office to the effect that when a man or woman died who, during any portion of the three months preceding death, had been employed in any of the known dangerous trades, the death should be reported by the registrar of deaths, and an investigation made in order to ascertain if death had occurred from unnatural causes.

Again, there was the question of certifying surgeons. There were a number of these gentlemen scattered over the country, their duties being threefold: they had to certify children and young persons as fit for certain employments in factories, they had to examine other persons at certain stated periods and certify them as fit or otherwise for employment in certain unhealthy processes; and they had also to examine into and report upon accidents when, under certain conditions, those accidents were required by statute to be reported to them. Apart from the difficulty under which these gentlemen suffered from having no legal right of entry into the factories into which the young persons they had to certify were about to enter, there were other considerations which were worthy of attention. He disclaimed any intention or desire to cast any imputation upon these gentlemen, some of them eminent, many of them undertaking the duties out of pure zeal for the public service, and generally for very slender or totally inadequate remuneration. Each factory district had its own certifying surgeons, who were invariably, as far as he was aware, chosen from among the local medical practitioners. Their livelihood, if they were high up in the profession, depended upon being employed by the richer people of the district. In an industrial district, such as was to be constantly met with in Lancashire, the West Riding, the Midlands, or the West of Scotland, the richer men were almost entirely connected with the large

factories in the neighbourhood, either as managers, partners, or directors. A certifying surgeon was therefore constantly placed in a most difficult and invidious position; he had to choose between certifying as fit for employment those whom he would rather see engaged in a harmless trade, and refusing to certify them, thereby giving offence, very likely, to one of his principal clients. That was an unfair position in which to put any gentleman. There were over 2,000 of these certifying surgeons—in some places, such as Manchester or Birmingham, there were as many as half a dozen. How could five or six different gentlemen, without a standard to work by, be expected to take the same view of a given set of circumstances? One doctor might think a girl fit to be employed in a dusty occupation, while another, with a higher standard, would say she was unfit. It was thus impossible to obtain uniformity of administration in this admittedly important department of industrial life. He often wondered whether the right hon. Gentleman was fully alive to the benefits to be derived from uniformity of administration, but as he had already touched upon that matter, he would not weary the Committee with a repetition of his remarks. He might, however, he asked what his counter-scheme to the present arrangement would be. He would suggest that, instead of appointing certifying surgeons to each district from each district, there should be an effective medical branch of the Home Office, that Department being so largely concerned in health questions. The excellent arrangement already so admirably inaugurated under Dr. Legge might be extended and developed in order to meet this urgent necessity. There might be a staff of doctors to act directly under the instructions of the Chief Medical Inspector of the Home Office, more particularly with regard to the standard of fitness for employment. Many young doctors of great ability would be willing to serve under such conditions in order to gain the experience which could be obtained in that way. The fees now paid to the certifying surgeons direct should be paid instead to a central fund and go towards the payment of the surgeons. The fund should be administered by the Home Office. Under such a scheme very little outlay, if any, would be required on the part of the State. But even if a part, or even the whole, of the cost had to be borne by the State, the advantages to be gained—namely, the security of having the law administered by an officer in a position of perfect freedom, the almost invaluable statistics which could be collected by such a staff, and the inestimable benefit of uniformity in the administration of these delicate and important duties—would be cheaply purchased.

MR. COGHILL was of opinion that the House of Commons was a most inappropriate body to discuss the delicate questions which arose in connection with lead poisoning. The right hon. Gentleman the Member for the Forest of Dean had not only found fault with the figures, but he had also found fault with the Chief Inspector of Factories in the Northampton district. Nobody seemed to satisfy the right hon. Gentleman in that district. They had had a very interesting discussion before on this subject, and not only the inspectors, but the stipendiary magistrate appointed by the late Home Secretary, were found fault with. He could have understood this complaint if the magistrate had been appointed by the right hon. Gentleman the present Home Secretary, but this magistrate was a Radical, and yet hon. Gentlemen opposite were not satisfied. He did not think that full justice had been done to Mr. Walmsley's Report. He said in his Report to the Home Office on the Stoke-on-Trent district—

"I do not think that the full benefit of the special rules of May and October of 1898 will be felt for some time to come, but with the introduction of the medical examination there has been undoubtedly a considerable improvement in the appearance of those workers who have to undergo such examination. On this point the certifying surgeon will no doubt have assured you of the improvement, but from my own observation one cannot but be pleased with the brighter and more cleanly appearance of the workers in the lead processes."

It seemed to him that that was very important testimony coming from the official responsible to the Home Office. He went on to point out that there were great difficulties in keeping soap and other things on the premises, as there were always a certain number of workpeople who would take them away. He thought Mr. Walmsley's Report was a clear and able one as to the working of the special rules in the Potteries during the year. With regard to articles of leadless glaze, he wished to remind the

Committee that, in regard to a great many of them, there was a serious doubt as to whether they did not contain a certain amount of lead in their composition. He thought everyone who knew anything about their manufacture would admit that this question had by no means been solved up to the present time. There was a very interesting meeting held not long ago in Cavendish Square, at which Canon Gore was present. As far as that meeting went he entirely agreed with its conclusions, and he should be glad to see them universally adopted. Following that meeting there was a very interesting letter in the *Westminster Gazette* in regard to articles of leadless glaze, and stating where they could be obtained. As far as he had been able to ascertain no answer had been made to that letter in the columns of the *Westminster Gazette*, and people were still anxious to know whether they could get those articles sold in other shops. There was another important question which had not been referred to, and that was the question of foreign competition. He was perfectly aware that his hon. friend the Member for Derby was anxious that something should be done by international agreement. If that could be done, then by all means let it be done, for foreign competition was a subject which should not be lost sight of in dealing with this question. If the question was to be dealt with practically, by all means let it be dealt with internationally, but in this respect he wished to point out that there were a large number of restrictions in force at the present time in this country which did not exist in the majority of countries abroad. The result was that foreign countries were allowed to send over here as much ware as they chose, to the injury of our own manufacturers. In his opinion that was very unfair, and was a grave injustice as far as our own manufacturers were concerned. He thought that all foreign manufacturers should be put on the same footing as our own manufacturers, and whilst English manufacturers were subject to all sorts of restrictions, foreigners should not be allowed to disregard them. A great deal had been done by the new rules adopted by the right hon. Gentleman at the Home Office, and what they wanted now was more time for those rules to further develop. These customs of the trade had been going on for a great number of years, and it was very hard indeed to get rid of them all at once. But a great improvement had taken place, and he should like in this respect to quote the figures. In 1898 there were 457 cases of lead poisoning, and in 1899 there were 249 cases. In the first three months of this year there were 62 cases. If the Committee would compare those figures with the total figures for all the other trades in this country he thought they would agree with him that they were not very excessive. It must be remembered that all the lead poisoning done in this country was not done in the Staffordshire potteries, for there was a large amount of lead poisoning in other employments in various parts of the country. He said that because, in reference to this question, the brunt of the criticisms had been directed to the potteries. If, therefore, they were going to put down lead poisoning they should do so over the whole country, and not simply in the Potteries. They were all very anxious to get rid of the lead poisoning cases, but very great difficulties existed in regard to the enforcement of the regulations made by the Department. It was found very difficult to get the workpeople to wash as often as they ought to. As a rule they were in a great hurry to get away from their work, and they did not devote that attention to washing that they ought to do. The inspector called attention to the difficulties there were in the way of getting some of the women to wear overalls and other articles for their heads, because the women considered the precautions insisted upon unsightly, and they would not wear them. The inspector called attention to the fact that many manufacturers were indignant, and very justly indignant, at the way in which the women refused to wear what was provided for them at great expense in order to carry out the new requirements. The manufacturers had been put to very considerable expense in trying to meet the views of the Home Office, and he claimed on their behalf that they had loyally carried out the undertaking which they gave to the Home Office.

MR. JOHN BURNS: The hon. Member, not for the first time in the course of our discussions on the subject of lead poisoning, has introduced—and he is generally the only hon. Member to do it—a tone of partisanship, and, if I may say so, committed a breach of taste and good manners this afternoon in speaking about

a drawing-room meeting at which feminine diatribes were indulged in by a lot of well-dressed ladies. In my opinion they could not have been better engaged at that drawing-room meeting than in discussing the means by which their poorer sisters could be exempted from the tragedy of lead poisoning. It may not be as pleasant as sitting on the Terrace or having strawberries at a garden party; but I would suggest to the hon. Member that when the Duchess of Sutherland, who deeply sympathises with the sufferers of lead poisoning, calls a meeting of Members of Parliament, medical men, nurses, and others who are kind hearted and mean well, she is to be congratulated, and I am prepared to congratulate the Duchess and to pat the Countess on the back and say, "Good luck, and God bless your work." In fact, if they hold another meeting, I shall be delighted to attend it and take tea with them. The hon. Member went further. He said that the speech of the right hon. Baronet the Member for the Forest of Dean was more fitted for the Society of Arts than for the House of Commons. On this occasion, as on nearly every other occasion, the right hon Baronet has shown his typical knowledge and his characteristic sympathy, which have deservedly given him his world-wide reputation; and if he continues to make such speeches—which according to the hon. Member are only fit for the Society of Arts—every working man in Staffordshire will bless him, and will overlook the sneers and insinuations of the hon. Member for Stoke-upon-Trent. The hon. Member also said that there were only two Members in the House of Commons who knew anything about pottery from the practical point of view. I do not know anything about pottery, but I know, as many hon. Members who defend the industry know also, that it is not necessary that the House of Commons should listen only to a few pundits in order to be able to form an opinion as to the medical and physiological injuries connected with it, and which have been confirmed by every one of the excellent doctors of the Home Office medical staff in their broad and general details. When the hon. Member introduces a Radical stipendiary, I say, with all respect, "Hang him." What has he got to do with the physiological effects of lead poisoning? If the hon. Member will take the excellent Report and Abstract of Labour Statistics prepared by Mr. Burton, who holds a brief for the employers, he will agree that the statements of the right hon. Baronet the Member for the Forest of Dean, of the hon. Member for Berwickshire, and of the late Home Secretary have been more than confirmed. I do not wish to deal with any one appointed by the Home Office; I would prefer to leave that to the Home Secretary; but as to Mr. Walmsley, to whom the hon. Member referred, I think it would do no harm if he were transferred to a wider and more useful sphere of operations. The hon. Member also said that a great deal had been done during the last year or two in the pottery districts; but that has been due to the fact that pressure has been brought to bear by the Home Secretary on factory inspectors and on employers. The improvement which the hon. Gentleman admits has taken place is due to the very pressure that to-day he condemns. He urges as a reason why girls should suffer from lead-poisoning that the manufacturers have great difficulty in extending their works, but they have got plenty of space to enable them to adopt means for the healthy conduct of the industry. The hon. Member admits that the special rules have done a great deal of good; but these special rules are the outcome of criticisms in this House, which he has condemned this afternoon. They are the outcome of the pressure brought to bear in this House in the years 1892 and 1893. Irishmen say, "Who fears to speak of '98?" I am delighted to speak of '93, and the excellent work which was then done by the Home Secretary. But because the special rules have done so much, is that any reason why we should not abolish arbitration in relation to them, which would carry us ever so much further? The hon. Member used that blessed phrase "foreign competition." I must tell the hon. Member that doctors do not agree with him as regards foreign competition. They have proved to the Home Secretary that in the matter of dealing with lead poisoning our foreign competitors are better than we are, and surely what is good enough for a German is good enough for a Briton, and even if these rules should affect competition to the extent of a few thousands a year, it would not last long. I rely on the skill of our workmen and the energy of our manufacturers to make up for it by adapting

their industry to the new conditions. Wherever restrictions have been imposed they have always resulted in permanent benefit. The only thing the hon. Member did say that had either justice or sympathy in it was his reference to refractory workpeople; but I should like to point out to the hon. Member that the masters are responsible for that. If the lead workers persistently disobey the factory rules, and in so doing impose on themselves and others physical disabilities, let one or two of them be sacked, and that danger will soon be put a stop to. I am done with the hon. Member and will pass from him to a doctor. Will the House of Commons listen to a few facts on the authority of a medical man? The tragedy of this story is almost appalling. There is in Staffordshire a Dr. Prendergast. He is a properly qualified man, and has written several treatises on lead poisoning. He is trusted by the workers, and he is the doctor for the men's Union and their Friendly Society, and as a rule workers select the best men of the medical profession for this class of work. Listen to his story. On 21st March, 1900, at a meeting of Friendly Societies in Staffordshire, Dr. Prendergast made a remarkable speech based on cases not taken from the *Daily Mail* or any other sensational rag of that kind, but from his own clinical note-book, the result of his two years observation. He had 285 cases of lead poisoning in that period, of which 162 were women. Of these 12 were totally blind, 7 were insane, 46 were partially blind; or 65 out of the 162 were either blind, partially blind, or insane. Of the 123 men 4 were totally blind, 26 were partially blind, and 75 were completely paralysed. I say to the House of Commons that that bald statement from the clinical note-book of that doctor is good enough to justify meetings in every drawing-room in England, Scotland, Ireland, and Wales. Of these 285 men and women 170 were either blind, partially blind, insane, or paralysed. Eleven had died, and therefore out of the total 181 were either dead, blind, partially blind, or paralysed. Twenty-one of the 162 women had 80 miscarriages of children due to lead poisoning, and 24 of the children born alive of these women died from convulsions in the first year of their infantile life. These are plain facts from the clinical note-book of a doctor who, from his position, is qualified to speak, and if the ladies of England will continue to hold drawing-room meetings, and if doctors will continue to make speeches of that character, I say, "God bless the ladies, and good luck to the doctors!" Here is another illustration from the same doctor. Speaking of the destructive evils of lead poisoning, he stated that thirty cases had been treated with the electric bath and twenty had been cured, at an average cost of £14 each. If the hon. Member for Stoke-on-Trent wants to help his trade, let him spend £14 per man who has lead poisoning, in removing the causes that have made lead poisoning possible; and if he does that he will find that there is a saving in running the factories, and there need be no fear of foreign competition. His own speech indicates that these improvements can be brought about by better fans and better ventilation, and I would like to add by higher wages and shorter hours. Are Dr. Prendergast's ghastly figures true, or are they not? The point that concerns me is that there are far too many of these cases of poisoning at the present moment; and it is the duty of the House of Commons to devise some means by which they can be lessened. When I went a few minutes ago on to the Terrace I saw a dream of fair women which might appeal to the heart of any man, and I could not help contrasting these beautiful, well-dressed, fine-set-up, and, I believe, sympathetic women with the condition of the poor women in the potteries, of the same flesh and blood, as pictured by Drs. Oliver and Thorpe; the only difference between them being that the one earns the profit and the other spends it. I am positively convinced that if these fair women on the Terrace could only realise the awful conditions under which their sisters in the potteries are compelled to labour, there is no sacrifice they would not make to improve them. I appeal to the hon. Member for Stoke-on-Trent whether this lead poisoning can be stopped. Let us go to Drs. Oliver and Thorpe. They say that the use of raw lead is not necessary either for colour or brilliancy, and that even where it is necessary it is used in excessive proportion for the production of proper work, that fritted lead can be used, and that for most kinds of ware suitable leadless glazes are now available. I believe that if the Home Secretary, with that kindliness of heart which distinguishes him, would only take up the suggestions of Drs. Oliver and Thorpe, and

rigorously enforce them, the number of cases of lead poisoning would be halved in two years. In this way no damage would be done to the trade, and the worst manufacturers would be brought up to the level of the best. All through the doctors' Report there is evidence that they are wrestling strenuously with the bad manufacturers, and the non-enthusiastic inspectors, to bring the trade up to a proper level. The hon. Member for Stoke-on Trent says that all the lead poisoning does not belong to Staffordshire. According to Mr. Burton there were 4,703 workers liable to lead poisoning, or one in every ten, of those employed in Staffordshire. Taking the figures for 1897 and 1898, with their 386 or 400 cases of lead poisoning, it would only take twelve years to have the whole of the 4,703 affected with lead poisoning in one form or another. That squares with Dr. Prendergast, and confirms the Home Office, and is, generally speaking, eloquent of the fact that the hon. Member for Stoke-on-Trent does not know everything about lead poisoning, and does not know much about the Home Office. In the abstract of statistics in the inspector's Report, I find that there were in 1899, 1,258 cases of lead poisoning in all trades; in 1898, 1,278; and in 1897, 1,214. Making every allowance for suspensions, there has been practically no improvement at all; and there will be no improvement in this evil until the spirit of the speech of the hon. Member for Stoke-on-Trent is crushed out in Staffordshire, until women inspectors are appointed, until the worst manufacturers are brought up to the level of the best, until the recommendations of Drs. Oliver and Thorpe are adopted, until the Home Office rules are enforced most rigidly, until all special rules are got rid of, until arbitration is abolished, and until absolute conditions are imposed on manufacturers from which there shall be no appeal to arbitration, the same as in other industries. I think that in this question of lead poisoning the time has arrived for calling an international conference. We suggested it in the Grand Committee on Trade in 1892 and 1893. I know of no subject on which an international conference would be more heartily welcomed by all the nations of the world than a conference which would fix the maximum number of hours for workers in lead, and the exemption of women from labour at certain periods of their lives, and raise the standard of ventilation. If the Government could send Lord Pauncefote to the Hague to an international tribunal to regulate the conditions of war, I see no reason why there should not be an international tribunal to regulate the conditions of peaceful industry. I leave lead poisoning and come to other branches of the Home Office work. I say it with the greatest pleasure that the Home Secretary has given us this year a Report which fully deserves the encomiums that have been passed upon it. I wish he would in future introduce into it more of these admirable comparative tables and diagrams which appear this year. We want an index, and a medical summary, so that we may get at the facts much more easily than we can now. The right hon. Baronet the Member for the Forest of Dean quoted Dr. Rawdon Smith. I do not believe that that doctor is sympathized with by the Home Secretary. Dr. Rawdon Smith delivered a speech which led one to believe that he was pulling the Home Office by the ear, and that whatever he wanted the Home Secretary to do for the manufacturers, he had only to whisper it and it was done. Had I anything to do with the matter, Dr. Rawdon Smith and his intimidatory language would not be long tolerated; I would be prepared to treat him in the way he deserves. There is evidence of slowness of improvement during the last two or three years in certain branches of the Factory Acts Administration. There is also evidence of the fact that good trade means many deaths. High wages very frequently mean very low vitality. The Home Secretary must see that good trade and high wages, and even indifference on the part of workmen, do not lead to breaches of either sanitary laws or factory administration. I would suggest that when trade is good the pressure on masters and men should increase with the rising prosperity. Whatever else it discloses, the Report indicates that we have not worsened trade or diminished the number of factories and workshops. I wish to direct the attention of the House of Commons to what the cost is of all this good trade and prosperity—to the casualty list not from South Africa, but from the battlefields of industry. Last year 6,531 men met their deaths on our railways, in our mines, and in our factories and workshops,

or about 400 more than the year before. Beyond that, the report of the Home Office indicates an enormous increase in the number of accidents. The minor accidents jumped up from 38,335 to 47,989; accidents reported to certifying surgeons showed an increase of from 19,227 to 22,711; fatal accidents, an increase from 727 to 871. All this indicates that, though much has been done by the Home Office, there is much more to do. We have got to do everything in our power to stop this casualty list. I say that the Home Office should not allow the number of all reported accidents, apart from the 6,531 killed, to jump up from 57,562 to the enormous total of 70,760, as they did last year. Whether we do our duty or not, whether the Home Office officers administer their powers under existing legislation more vigorously or not, of this I am certain: that all doctors are agreed that there are too many deaths and too many accidents, and that lead-poisoning ought to disappear. I rejoice that we have reached the stage when, with hardly a single exception, both sides of the House look upon this disease and slaughter and accident as more or less preventible.

> "Before man made us citizens, great Nature made us man."

For the sake of our manhood, we ought to make such statistics as those of Dr. Prendergast impossible. We ought to strengthen the Home Secretary's hands in reducing the terrible tale of disease, injury, and death; and to co-operate with the Home Office in doing everything in our power to place the army of British workmen where it ought to be—in the forefront of industrial production.

CAPTAIN NORTON (Newington, W.): This question of lead poisoning in the Potteries has been so thoroughly and exhaustively dealt with that I will confine my remarks, for the most part, to the kindred occupation of match making. All that has been said by previous speakers as to the terrible results of lead poisoning applies with equal if not with increased force to the results of phosphorus poisoning. I remember when the hon. Member for Berwick brought a deputation to see the Home Secretary in regard to lead poisoning, I was very much struck by the marked effect on the Home Secretary of the terrible instances presented to his notice, the very women themselves who were in a critical condition. If I may be pardoned for saying so, I think the hon. Member for Stoke-on-Trent has been somewhat severely dealt with, for some of his remarks in regard to the lead industry were very much to the point and practically true. There are great difficulties in securing a leadless glaze which will be at once effective and certain, and therefore I am not one of those who attack indiscriminately the manufacturers in the Pottery districts. I know that the question of foreign competition comes in, and we should press the Home Secretary strongly to use all his influence in the direction of bringing about an international conference in order that some agreement may be come to among manufacturers here and in foreign countries as to the use of lead and other matters connected with the industry. Of late persons employed in the match-making trade have been somewhat overlooked, and for this reason: that some ten or eleven years ago there was a great outcry in the press with reference to the terrible disease to which those who work in phosphorus are subject—namely, necrosis, or phossy jaw. The agitation has not been heard of for some time, owing to the fact that one or two of the large manufacturers have adopted an amorphous form of phosphorus, and that in these factories the amount of phosphorism generally, and necrosis in particular, has decreased to some extent. With reference to the Report which has been so highly praised, a remark has been made in regard to the want of an index. We should be glad to have an index, but if the preparation of an index were to delay the issue of the Report until it is practically useless to us, then I would rather do without the index. The new rules which apply to lucifer match-making have been amended by arbitration, but I would like to point out, as I did on a previous occasion, that the arbitration is one-sided. Those mainly concerned, the workpeople, have nothing whatever to do with the matter. The Home Office appointed one man, the manufacturers another; then they fixed upon a third, as umpire. But what occurred when these special rules, of which I have reason to complain, were framed? The manufacturers withdrew their man—a very distinguished Member of this House—and the umpire was told that his services were not required; and the result was that the Home Office nominee sat as sole arbitrator—a gentleman who sat on a previous occasion in connection

with the old Factory Acts, and had not the confidence of the workers. Now, we have to protect our workers—not that I think the manufacturers should not be amply and fairly protected. They are. But these rules were framed, as the Home Secretary himself acknowledged, upon the lowest basis; and then they went before the sole arbitrator, by whom they were whittled down to practically nothing at all. When on a previous occasion I admitted that, in my opinion, the rules, taken as a whole, were a slight improvement on the previous rules, the right hon. Baronet the Member for the Forest of Dean seemed to be opposed to that opinion. Since then I have gone carefully into the matter, and I am prepared to admit that all the improvements in the rules are not of any importance. In the phosphorus industry, as I shall call it, the main conditions which affect the workers are ventilation and cleanliness. In regard to ventilation, we find this extraordinary state of things. Rule 2, after specifying what the ventilation should be, goes on to say, "Unless the use of fans is dispensed with by order, in writing, by the Chief Inspector." Therefore, the absolute power is practically put into the hands of the Chief Inspector of overruling the opinion of the distinguished experts who, after careful inquiry into the case, had framed the original rules. Rule 3 refers to mixing, dipping, and drying — the most important processes in the manufacture of matches. It says that the boxing is not to be done until the matches are thoroughly dry, and then it must be done in a separate room. A distinction is drawn between matches that are dry, and those that are not thoroughly dry. We have it on the authority of the inspectors that it is impossible to frame a definition of a thoroughly dry match. The evidence goes to show that, so far as wax matches are concerned, there is no danger, but in regard to other matches it is impossible to define what is a dry match. It will be seen by these rules that the whole welfare of those who work in phosphorus depends upon the three processes of mixing, dipping, and drying; and in all of these processes the question of ventilation is of the greatest importance. And yet the Chief Inspector has the power of altering the rules regarding ventilation! But really the most important point in connection with the rules is the fact that the periodical examination of the workers by a surgeon has been dispensed with. In the rules we gain a little in one direction, and lose largely in another. There is a gain in the provision of antiseptics for the workers to wash in, but that is as nothing, placed against the fact that periodical examination by a surgeon is done away with, for the latter gives up altogether the question of phosphorism. Much experience has been gained in Germany and Austria in regard to the conditions of the match industry, and in these countries it is acknowledged on all hands—an opinion which, it is important to note, Dr. Whitelegge, the Chief Inspector, himself endorses—that phosphorus has a deteriorating effect upon the constitution generally, over and above the creation of necrosis, or phossy jaw, from which the workers are so liable to suffer. I am prepared to admit that, given the worker who works in phosphorus, who has sound teeth, the chances are altogether against that individual getting phossy jaw if he or she takes the proper precautions, or of their having their general health deteriorated by phosphorism. But it is an undoubted fact that there are cases where the workers have not suffered from necrosis, but have suffered from the general effects of phosphorus on the system. My hon. friend the Member for Battersea has referred to the disastrous effect of it on women in a delicate state of health—a peculiar effect which naturally in the long run leads to the breaking down of the woman's constitution. We find that owing to the periodical examination by the surgeon being done away with, we have the surgeon placed in a secondary position, underneath the dentist. Periodical examination still takes place by the dentist, but no case is brought to the knowledge of the surgeon unless, as it were, the dentist passes it on to him. One other remark in regard to these rules. No. 12 refers to the question of washing. We find here that a trough of enamelled iron o. galvanised iron is substituted for the old single basins. Now Miss Squire, Her Majesty's Inspector, in her Report to the Chief inspector for 1898, page 160, uses the following words with reference to this point—

> "There was a determination on the part of many of the women not to wash their faces in troughs used by other women, a determination it was impossible not to respect"

It is well known that in all these dangerous trades one of the difficulties with which the employers have to contend is the gross carelessness of the employees, and to make them realise the necessity of washing, and the use of various equipments which are essential to those who work in these trades. Take the washing regulations in Rule 12. Almost everybody objected to the trough system, and it was a monstrous thing to introduce that system where the bulk of the employees had a distinct objection to it. I know that one of the points which will be raised by the Home Secretary will be that he has been cramped so far as these rules are concerned. But I would ask that there should be an amendment to the rules and procedure, in order that the standard may be higher. These rules are rendered lower still owing to this system of arbitration in which the employees have no part or voice whatever. All that has been said by previous speakers in connection with the pottery industry applies with even greater force to those engaged in the phosphorus trade, because it has been clearly shown in this particular trade that a remedy is possible, and possible without great difficulty being placed in the way of the manufacturers. We know that the Diamond match manufactory at Liverpool, when first these rules were brought out, came up and gave evidence in favour of the rules, and were quite ready to adopt them; and what is sufficient for one manufacturer should be good enough for another. Yet you give inspectors power under the rules to draw distinctions between manufacturers. What we want is to see all placed on the same basis. I know that in Switzerland and other countries better rules obtain than obtain at the present moment in this country. Therefore I am inclined to believe that if the right hon. Gentleman would make some effort in the direction of an international agreement a good result would be achieved. It is not less desirable when drawing up a new set of rules to see that those rules are not meddled with by arbitration, as they have been on previous occasions.

*MR. TALBOT (Oxford University) thought, after the very important discussion which had taken place, he might be permitted to draw the attention of the Home Secretary to another subject, to which the right hon. Gentleman had given some attention, but to which he hoped he would give more. The subject to which he referred was that of the fruit-preserving industry, a subject in which he was interested, and with regard to which in the previous session he had the honour to call the attention of the House. It appeared to him that there was a danger of the indulgence with regard to overtime, which was given necessarily to a certain extent, extending to other parts of the same industry, so that what might be a pardonable indulgence, if it was limited to a single class of work, might become unpardonable when extended. On this occasion he desired to confine himself entirely to the evidence of the inspectors of the Home Office itself, and would commence by asking attention to this paragraph of the Report of the past year—

"The washing of bottles for fruit-preserving is now added to the purposes for which 'overtime' is allowed, on the grounds that 'bottles for fruit-preserving purposes had to be supplied in large quantities at certain seasons, that the dates of delivery could not always be fixed long beforehand, that the washing had to be done very shortly before the time of actual delivery, that overtime under Section 53 of Factory and Workshops Act, 1878 (amended by Sections 14 and 37 of Factory and Workshops Act, 1895) was allowed in several similar cases, etc.' Accordingly, women may now be employed in this from 6 a.m. to 8 p.m., or 7 a.m. to 9 p.m., or 8 a.m. to 10 p.m., with two hours allowed for meals, and not more than three days in one week and more than thirty days in one year. But then, they may work overtime in other works, and so may have a much larger overtime in the year.

That, perhaps, did not sound so bad. But the chief lady inspector (page 266 of the Report) said—

"No experience since the materials for last year's Report were gathered and summarised has tended to modify my opinion that it is urgently required to bring the fruit-preserving industry, without any exemption, within the general regulations of the Acts."

That was the testimony of the chief lady inspector, not an adverse witness. The year had undoubtedly been a year of disappointments to those interested in the fruit-preserving and kindred industries, because they had hoped and expected, after the discussion in the previous year and the sympathy expressed by the right hon. Gentleman the Home Secretary and his offer to protect the most unprotected, the children and young women, that this year legislation would be brought in to deal with the subject. The right hon. Gentleman brought in a Bill, it was true, but nothing more had been heard of it. Perhaps the reception

it met with did not encourage the right hon. Gentleman to go further; but had the right hon. Gentleman had greater courage and pressed the Bill to a Second Reading, it was possible that Amendments might have been made on which legislation might have been made. As it was, the position was the same now as it was last year, except that a few new rules had been made. No permanent progress had been made, and as the Report for 1899 was necessarily meagre, he was driven back to the Annual Report of 1898 for his facts. Miss Paterson and Miss Deane report that—

"It is not possible to have an accurate appreciation of the work of a jam factory without bearing in mind that almost every worker may be employed at one time or another in every part of every process which is carried on in the factory; thus (*a*) we have found girls employed in pouring hot jam who were employed on the previous afternoon in candying peel, and the previous night in bottle-washing."

All very homely occupations, but very exhausting to young natures.

"(*b*) We have found little girls carrying and stacking jars of jam, at night, who during the day had been employed in making potted meat."

So that some children were engaged upon one thing during the day and upon another at night.

"(*c*) We have found young girls making confectionery who went daily at the close of their normal hours to work in the jam-boiling room.

"(*d*) We have found girls employed in the warehouse in covering and labelling jam, who for two hours in the early morning and two hours late at night, and on Saturday afternoons, were busy bottling fruit."

The Committee would see that in all these cases the necessary indulgence which was given for certain purposes was about to be turned in this way into an unnecessary and a harmful indulgence. The Report continued—

"We have found a woman washing bottles, who, the day before our visit, had been engaged in unpacking and stacking clean jars, frequently attended to the 'gooseberry machine,' and when not so employed peeling onions in the pickle-making room. These are not isolated instances, but are examples of the conditions in the majority of factories."

In the subsidiary remarks of one of the inspectors she said—

"A table of the hours found to have been worked in a large factory in the week previous to our visit, and on the first three days of the week in which we visited. This gives a total of eighty-six hours (actual) exclusive of meals for seven days in one week."

Here is a reported example of Sunday labour. The inspectors continued—

"Owing in part to the moist state of the atmosphere, and the continual dripping of the condensed steam, but still more to the amount of water used, we have found the floors often unnecessarily wet, and in addition slippery with decaying vegetable refuse. No laundry floors equal those of most jam factories for wetness and dilapidation. Again, the existence of an exemption puts these matters beyond control, just when such control is most necessary."

So that he was perfectly accurate in saying that this laxity of administration was unfair to those who tried to carry out the law. The better class of manufacturers desired to carry out the law, and would do so but for the laxity of administration, which is only employed by the lower and worst class, which he was sure it is not the intention of the Committee to encourage. The inspectors continued—

"The repeal of the present 'total exemption' section—which makes it impossible to gauge accurately the full extent of the overwork, while it complicates all attempts to control effectually the conditions under which persons nominally working in 'regulated' departments are employed—would, we believe, be welcomed by the better class of manufacturers.

"This will leave the special exemption section, permitting sixty occasions of overtime annually for women in these factories, untouched. It would be well to ensure, in view of this double quantity of overtime, that when this special exemption is claimed, the other special exemption permitting thirty occasions of overtime in warehouses and in bottle-washing cannot also be legally taken advantage of.

"This would also put an end to the overwork of young persons under eighteen years, which is such a prominent result of the present total exemption."

He had now laid before the Committee the whole of the documentary evidence with which he proposed to trouble them. He thought he had made out a case for, at any rate, greater vigilance upon the part of the right hon. Gentleman. Much might be said for and against the protection of adult men, but what he was contending for was protection for a class whom everyone wished to see protected and who could not protect themselves, and it was with that view he had brought this matter to the attention of the right hon. Gentleman.

*Mr. JONATHAN SAMUEL (Stockton): The afternoon has been absorbed by an important discussion with regard to saving human life, and the hygiene of workshops, factories, and potteries. I

desire to call attention to one very important subject in connection with saving the wages of the workers. I should like to ask for an expression of opinion from the right hon. Gentleman the Home Secretary as to the policy of the Home Office on this matter. We have had now three years experience of the Truck Act of 1896—I desire to say nothing of the Truck Acts of 1831 and 1887, which had for their object the prevention of payment of wages in kind, because I consider those were excellent Acts, and they have been administered for the protection of the workers, and the inspectors and the Governments have been able to stamp out abuses which were rampant in the country so many years ago, which resulted in lowering wages. The right hon. Baronet the Member for Forest of Dean drew attention to the Donegal case, a breach of the Truck Act, 1831, and was justified in calling attention to what has taken place in Ireland in that respect. I should now like to ask the Home Secretary if he would state to the Committee the reason why he has not thought fit to give exemptions to certain important trades in the country which applied for those exemptions in 1897. We know how it came about that the exemption section crept into the Act. It was introduced after the report stage, owing to pressure brought to bear upon the Lancashire Members by the operatives of the cotton spinners. The hon. Member for Stockport, who now sits on this side of the House, had an Amendment to reject the Bill which he withdrew on the understanding that the 9th section should take its place. I have in my hand a list showing fifteen important trades which have applied for exemption, and according to this list only one trade has had exemption given to it—the cotton spinners of Lancashire and Yorkshire. I contend that it is very unfair administration by the Home Office to give one section of the workers exemption under Section 9, and to refuse it to other large industries where the employers and the employed have applied for it. When the Act passed the House in its third reading I ventured to make a prediction that the Act could not be applied to the heavy trades throughout the country, such as the iron, steel, and engineering trades. That prediction has been fulfilled, because in the heavy industries the Act is a dead letter. I then said that Section 2, which deals with damaged goods, would work hardship on the least united traders of the country, and anybody who reads the Reports of the last three years will see that that is the fact. I desire first to call attention to a test case that was tried in Ireland last year under the Truck Act of 1896, and the proceedings were taken by the inspector, where a factory girl was found talking in the factory and fined. The magistrate upheld the fine, much to the horror of the Home Office. Was it to be expected that women and young girls should work for twelve hours in a factory without talking? And because they talk they are fined. The girl worked in the constituency of the hon. Member for South Tyrone, but I do not know whether at the time she was discussing his conduct as a Member of this House. But to ask girls and women to work like dumb dogs for twelve hours is, in my opinion, a most disgraceful thing. In respect to Section 2 I must compliment the lady inspectors; I believe we have in them most excellent workers, who have endeavoured to administer and to see that the Act is administered. Miss Squire, who has taken a most active part in the administration, has reported on those matters. In the Report of 1897, she says—

"Two points have come out with special force in the year's experience of deductions or payments in respect of damage due to bad or negligent work, or injury by the worker to materials or other property of the employers. The first is the highly technical knowledge that must be gradually acquired by Her Majesty's inspectors as to the nature of the work and manufactured materials in the manifold industries under inspection in order to enable them to form an independent judgment as to what in fact constitutes bad or negligent work by the employed. The second is the immense difficulty of determining what are the essential circumstances which shall be held to decide the question, what is fair and reasonable deductions—that is, within the outside limits of estimated loss of the employer and (at common law) of the direct natural consequence of the negligence.

"The actual or estimated damage or loss occasioned by the employers often, where costly materials are used or the process is an intricate one, equals a sum which it would take the worker weeks or months to earn.

"Two illustrations may be given out of many cases which have come before me:—

"In a worsted spinning mill some damaged yarn occasioned a loss of £2 16s. to the firm; the damage was attributed to two spinners, young girls earning 8s. 6d. a week. These two were required to pay the sum between them, and to suffer a deduction of 6d. per week each from their wages until the whole was

paid. This means to each girl a loss exceeding three weeks wages.

"Steam laundry washing machine packed costly silk underclothing damaged by a small green bag, got into the machine and coloured the garments. Damage £10. The women responsible earned 2s. 6d. per day. The employer observed there was nothing in the Truck Act to prevent his charging the whole amount to the worker."

What I want to know is, whether it was the intention of the Home Office when they passed this second section that these serious deductions should be made from the wages of these workers for any damage that they might do, or might be held to have done to the goods. Now, in the Report of 1898, Miss Squire further says—

"Nothing is more striking than the great divergence in practices and opinion with regard to fines.

"In some factories and workshops long lists are exhibited of rules, each accompanied by a fine for non-compliance, and should these lists be criticised the employer fights for the retention of each fine as if the very existence of the works depended upon it, drawing a terrible picture of the lawlessness and disorder which would prevail were fines not inflicted, while in other factories and workshops of the same class, and where as many or more persons are employed, fines are unknown, and the management tells you there is no need of them.

"It is probable that the system of fining itself creates the need which it supplies. Be this as it may, it is certain the secret is one of good management. Some managers, foremen, or forewomen seem to maintain order by their mere presence at the works, others only by severe pains and penalties.

"When the employer has allowed himself to be persuaded to abolish fines his verdict after a trial has so far always been favourable, and it is to be hoped more will try the experiment and thus encourage the growth of honour and *esprit de corps* among employers."

Again, Miss Squire says—

"Girls' and women's wages are, as a rule, so pitiably low as to leave no margin for making good damage done to work entrusted to them.

"As instances of charges for damaged work, which, although not equal in amount to the loss occasioned by the employers, are yet not fair and reasonable if the amount of wages is considered, the following may be given—

Kind of Work.	Wages Earned.	Deduction for Damage.
	d.	s. d.
One shirt	2½ ...	2 6
Six pinafores	9 ...	5 6
Two doz. hunting ties...	5 ...	14 0
Four doz. collars ...	8 ...	£1"

I say that any law which permits an employer of labour to deduct from the wages of girls such large sums as these, in view of the small sums paid in wages, is one which the Home Office should not tolerate but should bring in a Bill to repeal. We had a case tried this year in Scotland, in one of the sheriff courts, and I wish to draw the attention of the House to it, for it is a serious case. This was a case tried by order of the inspector. A girl was off work one day due to the illness of her mother. Under the rules on the placard posted up in pursuance of the Truck Act it was provided that if an employee lost a day she was liable to be fined a day's wages. This poor girl was earning only 7s. a week, and she lost a day's pay in consequence of being off work. That reduced her wages to 5s. 7d. She was fined 1s. 3d. for being off, and thus her wages were reduced to the pitiable sum of 4s. 4d. This case was taken into court, and there is an account of it in this year's Report by the Chief Factory Inspector, at page 279. The sheriff decided in favour of the employers. He held that it was legal under the Truck Act to deduct 1s. 3d. from the girl's wages. If you make it legal to deduct from this unprotected girl 1s. 3d. of her wages because she is off a day, why not make the same law applicable to all the professions of this country? I remember some years ago, before I became a Member of this House, I was upstairs attending a Committee in connection with the promotion of a Bill. We had engaged counsel, but that counsel never put in an appearance during the whole time the Bill was going through Committee. He charged us over £200. We paid for the work, although he did not put his face almost into the room. Then I ask, if it is fair, if it is the law that you should charge this girl or any worker a fine, and in addition deduct from her wages a day's pay because she is off work for a day—I ask the House of Commons, even with all its legal power, to make the same law applicable to men upstairs if they are engaged to do work and do not do it. Fine them in the same way and see how the law would work. I daresay barristers would not like a law of that kind. I wish to be very candid with Ministers. It was not legal until 1892 that a workman should be fined for not being at his work at the proper time, but if it has become legal, then I say apply the same law to the Treasury Bench. The Ministers are paid £5,000 a year, which I do not grudge. I believe they are entitled to it. Every day since I have been on these benches a Member comes into the House

and puts a question to a Minister who is not there to reply. He is late and the result is he comes in and apologises. Why should he not be subject to the same law? [Laughter.] I say this is no laughing matter. It is a serious matter to thousands. I have got some papers here from the town of Birmingham with reference to a large number of deductions which occurred there, and I call attention to it because it is a most serious matter to workers who are not protected with respect to deductions and fines under the Truck Act of 1886. I come to a case which the Home Office tested last year before the stipendiary magistrate of Birmingham. There you have girls employed in works where they are liable to be fined for what is called "waste." Neither the stipendiary magistrate nor Miss Squire, the lady inspector, knows whether that waste is due to the inferior quality of the steel out of which pens are manufactured or to other causes. But the employers put it down to the girls; and what has been the result? These girls have been fined. A case was taken into court and tried before the stipendiary magistrate. The result was that he held that under the Truck Act the employer was justified in deducting this amount of "waste" from the wages of the poor girls. The result is that a girl earning 12s. a week is in debt to the extent of £2, others are in debt £5, and others £10, and there is no Member from Birmingham who will get up in the House of Commons—at least, they do not—to condemn a law that makes these girls subject to these serious deductions. It is a travesty when you think that we are trying to right things in South Africa—that we are shedding our blood and spending our money to right differences there—while here in Birmingham you have these poor girls working day after day and in debt £10, £5, and £2 for fines. I hold that the wages of a girl after she has performed her labour ought to be as sacred to her as the wages or earnings of any professional man in this country. In my opinion, the only proper settlement of this question is indicated in the Report of last year by Miss Squire. She argues with great force—and I would ask Members of the House to read the Report—that the only cure for this is to do away with the law of fining, and not permit employers of labour to deduct fines from the wages of workmen while acting as their own judge and jury as to what the fines should be. I speak as one who knows what it is to work for daily wages. I can tell you that I would not permit any employer of labour to deduct from my wages any fine. Every working man has a right to have his wages protected. If an employer is anxious to take from a workman any of his wages, to fine him, or to claim damages, then in my opinion he ought to take him into a court of law. The wages of a workman should be paid to him in their entirety in the current coin of the realm, and the law should not permit any deductions to be made. In 1891 a case came before Justice Grantham, who decided in favour of this right of deduction. It was, in fact, judge-made law, and I say it ought to have been the duty of the Government, if it were judge-made law, to have brought in a Bill to prevent employers from deducting from the wages of unprotected workmen the sums which I have pointed out. I have reviewed three years working of the Truck Act; I raised my voice alone in the House of Commons on the Third Reading; and I feel to-day, as then, that no Parliament depending on the votes of a broad electorate such as we have should continue to regard as legal that which I have described, and which I consider to be a scandal on the Statute-book of our country.

MR. MIDDLEMORE (Birmingham, N.): I just wish to say, as one of the Members for Birmingham, that I am always most anxious to look into any hardships or grievances under which workpeople suffer if they are brought to my notice, and to bring such redress as I have in my power. I think the attack the hon. Gentleman made on us poor Birmingham Members was hardly called for.

MR. JOHN WILSON (Durham, Mid) said that if the hon. Member who had just spoken had not seen reports of the cases in Birmingham which his hon. friend had referred to, it was his own fault. If he represented penmakers in Birmingham, it was his place to see that these cases were inquired into without waiting for some one from the north of England to give him enlightenment. He would like to refer to what the hon. Member for Battersea said as to the fear of foreign competition, because it was a matter which the representatives both of capital

and labour should have some regard for. If there was one thing more than another which would enable this country to keep its place in industrial competition with other nations, it was the stamina and energy of its workpeople. It would pay employers to have more regard to cultivating and fostering the strength of the people they engage instead of having regard entirely to the monetary aspect of trade. He was glad to say that where men and women were fully organised in this country, the Truck Act was not put in force so rigorously as where they were unorganised. He preached conciliation and kindness between employers and workmen, and what he would impress upon employers was that where people were not organised and had no effective strength behind them, they should look to the morality of the matter and not impose these fines. It was necessary, before they could fully appreciate the circumstances of the poor workpeople of this country, that they should have tasted the bitter experience many of them had to go through. He had brought before the attention of the Home Secretary the bravery of some miners in a colliery in the county of Durham in the month of February. They risked their lives to save two of their fellows, and he asked the right hon. Gentleman whether it was not possible to arrange for an industrial Victoria Cross to be awarded in such cases. He would be the last man to disparage in any way the bravery of any soldier or sailor, but there were as brave acts done in the mines, forges, and factories day after day as on the battlefield. The right hon. Gentleman replied that there was the Albert medal, and he had done something towards getting it for the three men in the case referred to. But the Albert medal was not a national recognition. It was awarded by a philanthropic institution, and what he wanted to see was the creation of some national recognition which would be given to those who performed brave acts in industrial pursuits. The right hon. Gentleman seemed to insinuate that the granting of medals to men who had risked their lives would give rise to difficulties and heartburnings. There were no such difficulties when the Victoria Cross was awarded for bravery on the field of battle, and in the industrial world the only heartburnings would be those of emulation and desire to achieve the same reward and recognition. Turning to another matter, he spoke in behalf of a number of coroners when he said there was a general desire that jurymen should be relieved from the duty of viewing the bodies of men killed by accident in collieries and other places, where there was no doubt as to the cause of death. He addressed a question some time ago to the Home Secretary on this subject, but he wished the right hon. Gentleman now to give a fuller answer than on that occasion. He wished to know whether anything could be done in the way of altering the law so as to render it unnecessary for jurymen to view the bodies in such cases.

MR. ASQUITH (Fifeshire, S.), who was very imperfectly heard, said it must be apparent to everybody who had listened to that debate that it had been conducted not only with unusual mildness of criticism, but also, as regarded the administrative action of the Home Office during the past twelve months, with something very like unanimity of approval. That was a circumstance on which he ventured to congratulate the right hon. Gentleman, because anyone who had had any experience, however small, of the work of the Home Office had found it less common to hear expressions of gratitude for what had been done than criticism for what had been left undone. He entirely agreed with the right hon. Gentleman the Member for Oxford University that it was a subject of very great regret that the legislative proposals which the right hon. Gentleman had made had not been brought to a Second Reading discussion, as that would have had the effect of clearing the air, and of paving the way for a measure which many Members, at any rate, would regard as more comprehensive and less objectionable than that which was now on the Table of the House. The only matters upon which he wished to make a few observations were those raised in reference to various branches of dangerous trades, the first being that of lead poisoning. He thought, forming the best judgment he could on the materials now before them, that it was only fair to acknowledge that as a result of the changes which had been introduced by means of special rules and otherwise, there had been a substantial improvement in regard to the matter of lead poisoning. Unless the figures were altogether fallacious, he thought that was practically demonstrated by the official Returns. But, while they

welcomed this improvement so far as it went, it was not one on which they could congratulate themselves so long as there existed the state of facts disclosed by his right hon. friend the Member for the Forest of Dean and his hon. friend the Member for Battersea in the figures they had quoted to the Committee. If those figures, the accuracy of which there was no reason to impeach, represented the actual state of things, even after the amelioration which they believed had been introduced by the changes made in the administration of the law, they were still confronted with an appalling problem in the existence of what they now knew, on medical and scientific authority, to be preventable evils, and which were yet allowed to work this terrible destruction to life and health practically unchecked. He was very glad that on that subject there had not been in the course of the debate a single dissentient voice, unless it was that which proceeded from the hon. Member for Stoke. The hon. Member for Stoke seemed to have very peculiar ideas as to responsibility, and to think that his hon. friends ought not to have criticised the action of a particular stipendiary, because he (Mr. Asquith) when in office had appointed him. And the hon. Member seemed to think, too, that he ought to be held responsible for all the things which were said, in his absence, in his wife's drawing-room. Those notions of responsibility which the hon. Member apparently professed——

MR. COGHILL said he based his remarks on the reports which appeared in the newspapers. It was not a private meeting.

MR. ASQUITH agreed it was not a private meeting, but he was not there. So far as he could judge from the reports, however, it appeared to him that the speeches made were temperate, wise, and practical, and, as his hon. friend the Member for Battersea had said, so far as they were heard by those present and read by those absent, calculated to do a great deal of good. But, the hon. Member having these somewhat singular notions of responsibility, he did not attach quite the same importance he might otherwise have done to the sentiments he, and he alone, had expressed. He thought the figures quoted from Dr. Prendergast, and the state of things those figures disclosed, led to two irresistible conclusions. The first was that the existing code of special rules, excellent, no doubt, as an instalment in the direction of reform, was not sufficiently stringent to effect the purpose which the Home Office had in view. He believed the right hon. Gentleman the Home Secretary entirely agreed with him in that. He knew the difficulty there was in the necessity of submitting all these matters to arbitration, but, for his part, he was certain that if he were in the right hon. Gentleman's place, he would be prepared to undertake the possible delay, expense, and worry even of a fresh series of arbitrations until he had got these rules into a condition more adeqaate to the necessities of the case, and until—backed up as he was certain the Home Secretary under these circumstances would be by the public opinion not only of the district but of the country at large—he had got behind those rules, for the purpose of enforcing them, something which was really more valuable than the most vigilant activity of the most competent inspector—a well-informed and awakened public conscience. This was the first point they ought to press upon, he was sure, a by no means unwilling Home Secretary. The second was as to inspection. As he said last year, in his opinion a case had been made out, as regarded the particular instance of Staffordshire, where the pottery industry was mainly carried on, for the appointment not of a peripatetic or itinerant, but of a permanent female inspector, a lady who would do, not as the ordinary inspector did—namely, descend from time to time on the district to see what was going on, but one who would be living among the people, accessible to the workers themselves, and able day by day to make her influence felt by constant and vigilant visitation of all the factories and workshops concerned. There was no industry in the country, he believed, in regard to which it was more necessary to have a female inspector constantly on the spot than this one. The workers were, to an enormously preponderating extent, women and young persons; and they had only to listen to the terrible statistics which had been given to the Committee that day to see what a peculiarly deleterious effect this industry had upon women, and particularly in regard to child-bearing and the offspring they produced. If these two things were done—namely, the rules

brought up in point of stringency to the view not of enthusiasts or of hysteria-mongers, but of grave scientific authorities, who had declared such stringent rules to be both practicable and necessary, and a permanent woman inspector appointed to see that they were properly carried out, he could not help thinking that before they were five years older this terrible plague spot would be removed from their midst. His hon. friend the Member for Berwickshire had referred to the fact that though the Departmental Committee over which he presided for so many years with such an enormous amount of assiduity and attention had advised the Home Office to form special rules for no fewer than seventy-eight industries, in only two cases had any effective steps yet been taken to carry out their suggestions. The right hon. Gentleman might have good reasons for the delay or apparent indifference of his Department, but he was sure the Committee would be glad to know what those reasons were, and, if the obstacles were of a removable kind, what steps the Department were taking to remove them and bring these industries also within the safeguards and protection they so urgently needed. On the general administration of the Department on its industrial side he had a peculiar interest and pleasure in the readjustments the right hon. Gentleman had had it in his power to make during the last twelve months as regarded the functions of the staff and other matters. He earnestly hoped he would be able to impress on the Treasury with increasing emphasis and effect the fact—which he believed was absolutely indisputable in view of the enormous and growing complexity of our industrial legislation, and the largely increased and legitimate interest public opinion now took in seeing that in industries where sources of danger existed those dangers should be obviated or at any rate mitigated—that there was an absolute necessity for providing a much more adequate staff than the Department at present possessed.

*THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Sir M. WHITE RIDLEY, Lancashire, Blackpool) said he was exceedingly glad that the criticisms passed on the Department had, on the whole, been so favourable, and, above all, that the Report of the Chief Inspector of Factories, embodying Reports of the other inspectors, had been received with such general satisfaction—Reports which reflected very great credit on the officials concerned. To have Reports containing so much valuable material, not only from the Chief Inspector, the women inspectors and others, but also from the medical and engineering inspectors, was a matter of considerable satisfaction. To deal with the questions addressed to him, he might say, first of all, that the hon. Member for Mid Durham was mistaken in supposing that the Albert medal was a private award, or given by private persons. The medal was really the industrial or civil equivalent of the Victoria Cross. He had had the pleasure of recommending in one or two instances that the Albert medal should be given for deeds of great gallantry. Those who had ever been responsible for granting the decoration would agree that in the case of the mining industry, in many of the accidents which unfortunately happened, it would be exceedingly difficult to select, among the numerous, almost universal, instances of brave conduct, the men to whom these medals should be awarded. He feared that very often when such a medal was given there were some heartburnings on the part of the friends, at all events, of some of the other men who had shown conspicuous bravery. The Albert medal was a national medal in the highest sense of the word, and was given for the most distinguished bravery, and it had always been acknowledged to take the place of the Victoria Cross among the civil population. As regards the question of the obligation upon coroners' juries to view the dead bodies, he was aware that it aroused considerable interest and that there was some feeling in favour of relief from this obligation. He was disposed to take this view himself; but when an attempt was made recently to obtain the opinion of coroners generally on the point, it was found that they differed widely amongst themselves both as to the desirability of any change in the law and as to the nature of the change, if any, which should be made. In these circumstances legislation was scarcely possible. With reference to the criticisms which had been made upon the administration of the Factory Law, he would take first that of the right hon. Gentleman the Member for the Forest of Dean—namely, as regards lead-poisoning in the earthenware manufactories in the Potteries. He must say that he considered that the improvement had been

steady and substantial, though he was free to admit that it had not been all that they could wish. Whether the figures of Dr. Prendergast were good or bad—and it ought to be explained that those figures did not relate to the present time, but to a period prior to the establishment of the Special Rules, and further did not, as he understood, represent only cases actually dealt with by the doctor himself—the fact remained that lead poisoning in the Potteries was a fearful thing, far more serious indeed, even in lucifer match-making, than phosphorus poisoning. He was, therefore, prepared to admit that the case demanded the most urgent attention on the part of the Home Office, in order that everything possible should be done to secure that the industry should be carried on in a manner as little harmful as possible to those engaged in it. They had not been altogether idle in this matter. He admitted to the full that the existing code of rules was not sufficient, but it had done a considerable amount of good. They had been engaged on a new code of rules, which would shortly be published, and which, he hoped, would carry out everything recommended by Dr. Oliver and Dr. Thorpe, with the exception that there was no absolute prohibition of the use of raw lead in every case. The Report would show how they had gone to work. In certain processes none but fritted lead was to be used, and that fritted lead was to be of a certain standard. In other cases, where raw lead was used, it was made incumbent on the manufacturers to show absolute necessity, and very special restrictions would be imposed. He had every hope that the rules would be accepted, and he was almost confident that they would get them without arbitration; but he should go to arbitration rather than that the present state of things should continue. The right hon. Gentleman spoke of inspection and especially as to women inspectors. He could not say too much for the good work done by the women inspectors all over the country. An Inter-departmental Committee on the constitution of the Factory Department had recommended certain increases of staff, including the appointment of one additional woman inspector, and that had been made. The right hon. Gentleman said that there should be one woman inspector resident in the Potteries for some considerable time. There was a great deal to be said on both sides. They were at present, in London, trying the experiment of putting the work in certain cases, *e.g.*, laundries, under one woman inspector; and though he did not know whether he would be well-advised to extend that experiment, he acknowledged, at all events, to the full the principle that there were circumstances where girls and women would confide to a woman inspector what they would not tell to a man. To return for a moment to lead, he and his Department were fully alive to the necessity of doing all they could, and he believed it would be found that in the new code of rules—over which he had been spending much time, with the view to avoiding arbitration—a great step had been taken to make this industry less dangerous to those employed in it.

*MR. TENNANT: Can the right hon. Gentleman say when these rules will be published?

*SIR M. WHITE RIDLEY could not say exactly, but it would not be very long. He thought he must add this for the manufacturers—in which connection he thought the hon. Member for Stoke had been somewhat harshly treated—that he had found them ready to take advice and to act with the Home Office; and he hoped that it was not a reproach to try to carry them with the Department rather than to impose fresh rules upon them very much against the grain. With reference to the remarks of the hon. Member for Berwick, he was perfectly sensible of the good work he and his Committee did for four years; and if the Home Office had not issued a great many special rules recommended by that Committee it did not follow that the work had been wasted or the recommendations ignored. That was especially the case in regard to the Bessemer and certain other processes, where the inspectors in the course of administering the existing provisions of the law were much helped by the Reports of the Committee. With some questions, of course, it was not possible to deal effectively without some such powers as were included in the Bill, which, as had been stated, had not had a Second Reading debate—a debate in which many misunderstandings would have been cleared up, and much help given in all probability to those responsible for that attempt at legislation. In reference to the phosphorus special

rules, which had already been debated that session, he was very much astonished to find that so many Members took the view that the new rules had really not been strengthened by arbitration. There were even in comparison with the old rules one or two points in which they were weakened, it was true, contrary to the desire of the Home Office. But he claimed for them that in the first instance they were drawn in the main to carry out the recommendations of their experts. They were to a certain extent altered, but if those alterations were minutely examined they would be found not to have really that importance which was attached to them by some hon. Members. He did not know that he needed to go into them in detail, but taking, for instance, the distinction between the wet and the dry processes he could not say they were in a position to assert that they had the same positive evidence in regard to the injury in the one case that they had in the other. He was not prepared to admit, indeed, either that the rules were materially weakened, or that they were not a considerable improvement upon the rules passed some years ago. It had been said that the use of white or yellow phosphorus should have been prohibited; but he did not see how it was possible to insist upon the prohibition absolutely of the use of this particular kind of phosphorus. Moreover, he might mention that as a result of what had been done there had only been one reported case of necrosis during the past six months, which showed, he thought, that the Department had, to a large extent, got hold of the disease. In the next place the effect of the attention which the manufacturers were compelled to give to the matter by the new rules was that one large firm was known to have abandoned altogether the use of dangerous phosphorus, and that was a very satisfactory state of things; and if it was possible to supply strike-anywhere matches as cheaply as before without the use of this dangerous phosphorus the public could do a great deal in encouraging its disuse. Some allusion had been made to an international agreement with the idea of doing away with the use of white or yellow phosphorus, and of preventing the importation and exportation of matches in the manufacture of which white or yellow phosphorus was used. He feared that there was not much hope of such an agreement, for those acquainted with the trade knew that they had everything to lose and nothing to gain by such an international arrangement, and he was afraid it was no use trying to find a solution of the difficulty in that direction. Without going so far afield he hoped those hon. Gentlemen who had criticised the rules so closely would give them the opportunity of being tested by experience. He had every expectation of getting them established in all the places where matches were made, and if there should be a loophole in them he felt, from the support they had received in dealing with these matters, that there would be no difficulty in taking any further action which should be deemed necessary. His right hon. friend the Member for the University of Oxford had brought forward the question of the fruit trade. His right hon. friend said that there were a great many things going on in the jam factories which ought not to go on, and he attributed them to the administration of the Home Office. He thought that was very unfair, on the face of it, because it was owing to the state of the law that these things were going on, and not to the administration. By the law those jam factories were totally exempted from the Factory Acts at certain times of the year. The view of the Government was that whereas it was desirable to allow overtime to be worked occasionally, under proper conditions, when required, *e.g.*, for the preservation of material such as over-ripe fruit, it was necessary to bring them under the Act for all other purposes, sanitary and otherwise; and he need hardly say that he would have taken care that the regulations which the Factories Bill would have enabled him to make applied to the whole of the factory, and not to any detached portion. The present state of the law with reference to these factories was not satisfactory, and they ought to be brought under the Act for sanitary and many other purposes; but, at the same time, there ought to be, within certain limits, powers for extended overtime, so that there should not be a great loss of perishable articles of food. The right hon. Baronet opposite spoke about the creameries in Ireland. He had had a very large and influential deputation from Ireland before him upon this subject before the Factories Bill was introduced. That deputation represented opinions on both sides of the House, and the members of it pointed out the

enormous increase of these creameries in various parts of Ireland, and they also urged that they were not in a position to apply all the modern methods of preserving cream. That deputation argued that it was absolutely indispensable to their business that for about four hours on a Sunday the women should be employed to churn cream. He thought they made out a case at all events for careful consideration, and he proposed to take power to give effect to their representations because he thought the effect of enforcing strictly the existing restrictions would be to stop the employment of women altogether, and that would inflict an injury upon a struggling—he would rather say a growing and desirable—Irish industry. He agreed with his right hon. friend that it was most desirable to give no encouragement to Sunday labour; but there were a great many people who made butter on Sundays, and under special circumstances it was not unreasonable to say that for a certain space of time and at certain periods of the year the difficulties of dealing with those perishable goods should be considered and dealt with under proper restrictions. He was not sure that there was anything else to which he needed to reply. He might say, however, that he was simply astonished at the speech made by the hon. Member for Stockton. The hon. Member had always taken a most extraordinary view of the Truck Act of 1896, which was not warranted by a single word in it. The hon. Member had cited several very hard cases, but they were not the fault of the Truck Act of 1896, or any other Truck Act. The Act was introduced to place certain restrictions upon employers, and it was provided that certain acts should be illegal, *viz.*, the imposition of fines and deductions from wages unless they were reasonable. All he had to say was that some of the women inspectors could tell the hon. Member that many very poor working people who before the passing of the Act could not help themselves at all, and had been imposed upon by greedy and dishonest employers, were now provided with a remedy under the Act of 1896. That Act passed through this House as a non-party measure, and the construction which the hon. Member for Stockton had put upon it was totally wrong and perverse. The hon. Gentleman had asked him why he had not granted certain exemptions from the Act under Section 9. The answer was that to grant an exemption is to remove the protection of the Act from the person or trade exempted. The Section provided that the Secretary of State could do this only when he was satisfied that the Act was not necessary for the protection of the persons engaged in any trade; and in order to be so satisfied he naturally demanded the joint assurance of employers and employed. The hon. Member said that only one exemption had been granted. He was right; and the reason was that in only one case had the necessary conditions been fulfilled.

*MR. JONATHAN SAMUEL: But there was also the case of the North of England Board of Arbitration. Both employers and employed sent a deputation to wait upon you, and asked for those exemptions, and you declined to give them.

*SIR M. WHITE RIDLEY said he declined because he was not satisfied that the deputation was thoroughly representative of all the parties, and had shown the Act to be unnecessary.

*MR. JONATHAN SAMUEL: They represented both parties.

*SIR M. WHITE RIDLEY thought he did not need to detain the Committee any longer. He had given hon. Gentlemen opposite the best answer he could, and he was quite aware that he could never convince them.

*SIR CHARLES DILKE: The right hon. Gentleman has made a very excellent promise as regards the future. Perhaps some of my friends may think, under these circumstances, that I ought not to press my motion to a division. I can only say that, personally, I am so dissatisfied with what has happened that I propose to press my motion to a division as an expression of dissatisfaction with the administration of the Home Office in the past. If the right hon. Gentleman keeps all those promises he has made I may have the pleasure of supporting him in the future.

*MR. PICKERSGILL (Bethnal Green, S.W.): There is one question mentioned by the right hon. Gentleman to which I desire to allude, and it is a question in

which the East End of London is concerned—I allude to the manufacture of lucifer matches, in the manufacture of which phosphorus is used. I do not propose to travel over ground which has already been covered, but I do desire to say that, in my opinion, the new amended rules which have been issued as the result of the arbitration are very unsatisfactory. There are one or two points in reference to them to which I desire respectfully to call the right hon. Gentleman's attention. In the first place, I wish to allude to the employment of children without previous medical examination in the match trade. It is admitted that this is a dangerous occupation, and it is a notorious fact that some persons are much more susceptible to injury than others, and yet there is no provision that before a person enters upon this very dangerous occupation there shall be an examination of any kind, either medical or dental. The rules are complied with if there is an examination within twenty-eight days. The advocate who appeared before the arbitrator for the workmen strongly insisted that the order of proceeding was strangely inverted and that as these were dangerous occupations, it was only reasonable that the medical examination should precede actual employment. Upon the other side, on the part of the employers it was said that this was impracticable because persons were taken on early in the morning, and at other times and under circumstances which rendered it impracticable for a medical examination to precede employment. I do not desire to enter into a discussion as to whether or not any absolute rule that examination should precede employment is or is not under the circumstances impracticable, but I do submit to the right hon. Gentleman that twenty-eight days is an unreasonable period to permit to elapse before either a medical or a dental examination takes place, and I think ten or fourteen days would be quite sufficient. The second point to which I desire to call attention is with regard to the conditions after the occupation has been entered upon. It is admitted that some of the operations are very dangerous while others are less dangerous, and that some are altogether innocuous. In these circumstances it does seem reasonable that provision should be made for a change of occupation, and I think in this respect that we might learn something from the system in other countries. The law of Sweden provides—

"That no worker may be employed for more than six months at a time in dipping."

The law of Austria enacts—

"That workers shall from time to time be allowed a change of work."

A similar rule in our own country was recommended by the expert adviser of the Home Office, Dr. Oliver, who said that there should be a change of occupation for the workers, and that men and women should not be allowed to remain more than a few weeks at a time in any one department. That was the recommendation of Dr. Oliver, the professional adviser of the Home Office. Dr. Oliver refers to the case of adult men and women, but the argument is very much stronger in the case of mere children employed in these operations. I do not mean children within the technical meaning of the Act, but those persons who are in point of years really children. There is a general provision that young persons under the age of fourteen years shall not be fully employed in factories of this kind, but to that general rule there is an exception to this effect, that a child of thirteen who passes a prescribed examination may be employed for certain purposes in a match factory as a young person, and may be fully employed. I think it is very unreasonable that a child of thirteen should be fully employed in some of the most dangerous operations in connection with this trade, and may I point out that the medical adviser of the Home Office says that at the age of thirteen, or thereabouts, there is a peculiar danger from this kind of employment, because he says that, from a dental point of view, a child at the age of thirteen is more likely to be suffering from decayed teeth than in later years. And yet a child may be employed at this age without undergoing any medical or dental examination. This is an important matter, because, in the Report of the adviser of the Home Office with reference to a large London firm, I find it is stated that these children are constantly employed in these most dangerous processes, and are exposed day after day to the poisonous fumes. These children are of the age of thirteen years, and I say that it is an unreasonable thing that the rules should be such as to allow a child of the tender age of thirteen years to be permanently employed in an

occupation which is professedly so dangerous as the dipping operation where phosphorus is used. I have ventured to make an appeal to the right hon. Gentleman on behalf of these children, and I trust he will give it his careful consideration, and I am sure his natural disposition is fully in sympathy with the appeal I have ventured to address to him.

MR. FENWICK (Northumberland, Wansbeck): I have listened carefully to the reply made by the right hon. Gentleman the Home Secretary, and it seems to me that he has failed to appreciate what is the real objection we take to the Truck Act. He said, and said very truly, that it was a non-party measure, and he said that the Truck Act was a Bill which he found at the Home Office, and which had been left there by his predecessor. The right hon. Gentleman also states that as the Bill was introduced it met with cordial approval, and that the Bill passed its Second Reading in this House without a division, and it was approved of in speech after speech delivered from this side of the House. But if the Bill had passed in the form in which it was originally introduced we should have had no complaint to make against it; because, as originally introduced, no fine or deduction could be made from a workman's wages unless his assent had been given in writing. That was the form in which the Bill was introduced to this House, and we approved of it because we felt it was a reasonable thing that a workman should be heard in his own interest as to what was considered a reasonable deduction in his wages, and as long as he had the right of being heard he had no complaint to make. That was the form in which the Bill was introduced, but what happened in Grand Committee? An Amendment was moved, I believe, by the hon. Member for Renfrewshire——

*THE CHAIRMAN: Order, order! The hon. Member will not be in order in discussing the progress of any particular Bill for which the Secretary of State for the Home Department is not responsible. Such a question cannot be discussed in Committee of Supply.

MR. FENWICK: I do not want to discuss that Bill, but I simply wish to state what led to our opposition to the Truck Act—namely, that the Bill as originally introduced did not actually become law, because the Home Secretary was defeated in the Grand Committee by an Amendment which deprived the workman of any right to say whether the contract made was reasonable or not. That is all I wish to say in reference to this point, for that Amendment completely altered the character of the Bill, and that has been the ground of our objection to the operation of the Truck Act ever since it became law. I only wish now to say that personally I was very pleased—and I think there are many people outside this House who will also be pleased—to hear the statement that was made by the Home Secretary to-night, in reply to the appeal made by the hon. Member for Mid Durham, in regard to the Albert medal. I was very pleased to hear the right hon. Gentleman say that the Albert medal might be taken as an equivalent to the Victoria Cross. It is a surprising thing to me, and to many who take an interest in industrial affairs, how seldom this medal for meritorious conduct has been given to the men who have risked their lives again and again in order to save the lives of their fellows. I venture to say that if the right hon. Gentleman is in a position to grant a Return on the motion of any hon. Member of this House showing the number of cases in which the Albert medal has been given for meritorious conduct to the artizans of this country, it will be found that the number is very small indeed. And yet, having regard to the numerous cases in which explosions occur in mines, where the rescuing parties are subject to great hardships and exposed to great dangers and almost lose their lives in their attempt to rescue their fellows, I do not believe that there is a single case, even where a rescuing party have gone almost to the extreme length of losing their lives, in which the Albert medal has been granted. A remarkable case has been referred to in which the men exposed themselves to great danger, and one or two of them remained in an unconscious condition for a considerable time after, and yet all that could be got in a case like this was the medal of the Humane Society. If a man risks his life in saving a gun from the enemy on a field of battle he gets the Victoria Cross, but if you risk your life to save a fellow workman the probability is that you will get no reward at all for the bravery and heroism which you display. The difference in the case of the miner is this: he carries on his occupation far away from the public

gaze, in the dark caverns of a mine. When a man goes out to rescue a person from drowning his heroism is seen, and it is emblazoned all over the country in the newspapers the following day. But in the dark caverns of the mines in this country you have similar deeds of bravery displayed, and there is no public recognition of those deeds. Of course you may say this is all sentiment, and I grant it; but, after all, human life is governed by sentiment, and at all events sentiment is something that tends to develop the spirit of emulation in regard to bravery in the minds of the industrial classes of this country. A man whose bravery is recognised is able to hand that token down to his family with pride and admiration, and it tends to develop that same spirit of bravery in his own family which we all desire so much to see cultivated. I sincerely hope that the right hon. Gentleman may be in a position by-and-by to promise us that some recognition of deeds of bravery may be offered to miners when such deeds are discovered. I know there are great difficulties in the way, and the very fact that the miner carries on his calling far away from the public gaze increases the difficulty; but I think that the officials at the mine may be relied upon to say whether in their judgment any particular deed is worthy of recognition. I hope the right hon. Gentleman may see his way to introduce some token as a recognition of deeds of bravery when they are discovered, either in our coal mines or in our factories and workshops. If that could be done I feel sure that it would do a very great deal indeed in the direction of encouraging acts of bravery amongst the masses of this country.

Sir FORTESCUE FLANNERY rose to address the House, when Dr. TANNER called attention to the fact that forty Members were not present.

House counted, and forty Members being found present,

SIR FORTESCUE FLANNERY (Yorkshire, Shipley) said that the accusations of the right hon. Baronet the Member for Forest of Dean seemed more or less well founded as regarded lead poisoning, although he had not the technical knowledge necessary to judge between the right hon. Baronet and the Home Office. So far as the operations of the Home Office were concerned, there was no complaint to be made on the part of himself and his colleagues in their part of the country. In regard to the wool industry, an attempt had been made to grapple with the question. He did not say that that attempt was by any means complete, but when the representatives of the employers and employed combined together and agreed as to what form of rules should be adopted, the Home Office were at once desirous of putting those rules into practice. The results had been so far encouraging, though much less so than the friends of the workers had hoped. Further representations would probably have to be made in regard to certain details, but he had no doubt they would receive the same amount of consideration at the hands of the Home Secretary as those already made had received. For these reasons, he should not feel justified in supporting the motion of his right hon. friend the Member for Forest of Dean, although he had associated himself with him, and hoped again to have the honour, in pressing on the Government for further protection for those engaged in dangerous trades. He should like to say a word on the question raised by the hon. Member for Mid Durham as to an honourable reward being given for saving life. As much heroism was frequently exhibited in our mines, factories and railways, as by the most gallant soldier who had ever won the Victoria Cross on the field of battle. It was the general practice to grant exclusively to soldiers and sailors this valued token of recognition of gallantry, but it was denied as a recognition of the gallant acts performed by the workers of the country. One of the most graceful acts which could come from the present administration of the Home Office would be the putting on a clear and definite footing a system of rewarding these acts of gallantry by an industrial V.C.

*COLONEL BLUNDELL (Lancashire, Ince) said the great bravery shown in rescue work by the mining population could not be exaggerated; but he thought that if a reward of a medal was instituted for such acts of heroism the conditions which attached to the military V.C. should not be followed. Lord Hardinge had objected to these conditions very much, for the Army. The V.C. was only granted for an act of individual valour, and not given to the whole of a party.

There were cases where, in a rescue from a mine, four or five persons were often equally deserving of recognition for the performance of a very dangerous action. He strongly recommended that the conditions of any such award should be fair to all concerned.

Question put.

The Committee divided:—Ayes, 61; Noes, 95. (Division List No. 217.)

AYES.

Allan, William (Gateshead)	Hemphill, Rt. Hon. Chas. H.	Power, Patrick Joseph
Bayley, Thomas (Derbyshire)	Horniman, Frederick John	Provand, Andrew Dryburgh
Bolton, Thomas Dolling	Jacoby, Alfred James	Rickett, J. Compton
Burt, Thomas	Jones, Wm. (Carnarvonshire)	Samuel, J. (Stockton-on-Tees)
Caldwell, James	Labouchere, Henry	Sinclair, Capt. J. (Forfarshire)
Cawley, Frederick	Lewis, John Herbert	Smith, Samuel (Flint)
Colville, John	Macaleese, Daniel	Soames, Arthur Wellesley
Crilly, Daniel	M'Dermott, Patrick	Souttar, Robinson
Dalziel, James Henry	M'Ghee, Richard	Spicer, Albert
Dillon, John	M'Kenna, Reginald	Steadman, William Charles
Donelan, Captain A.	M'Leod, John	Sullivan, Donal (Westmeath)
Doogan, P. C.	Maddison, Fred.	Tanner, Charles Kearns
Dunn, Sir William	Mendl, Sigismund Ferdinand	Trevelyan, Charles Philips
Evans, Samuel T. (Glamorgan)	Molloy, Bernard Charles	Wedderburn, Sir William
Fenwick, Charles	Moss, Samuel	Weir, James Galloway
Flynn, James Christopher	Moulton, John Fletcher	Wilson, John (Durham, Mid)
Fowler, Rt. Hon. Sir Henry	Norton, Capt. Cecil William	Wilson, Jos. H. (Middlesbro'gh)
Gourley, Sir Edw. Temperley	Nussey, Thomas Willans	
Griffith, Ellis J.	O'Brien, Patrick (Kilkenny)	TELLERS FOR THE AYES—
Harwood, George	O'Connor, T. P. (Liverpool)	Sir Charles Dilke and Mr. John Burns.
Hazell, Walter	Pickard, Benjamin	
Hedderwick, Thos. Chas. H.	Pickersgill, Edward Hare	

NOES.

Allsopp, Hon. George	Foster, Harry S. (Suffolk)	Murray, Col. Wyndham (Bath)
Arrol, Sir William	Giles, Charles Tyrrell	Myers, William Henry
Austin, M. (Limerick, W.)	Goldsworthy, Major-General	Nicol, Donald Ninian
Balfour, Rt. Hon. A. J. (Manch'r	Gordon, Hon. John Edward	Phillpotts, Captain Arthur
Balfour, Rt Hn Gerald W (Leeds	Gray, Ernest (West Ham)	Pierpoint, Robert
Banbury, Frederick George	Hamilton, Rt. Hn. Lord George	Pilkington, R. (Lancs. Newton)
Bartley, George C. T.	Hanbury, Rt Hon. Robert Wm.	Pretyman, Ernest George
Bigwood, James	Hardy, Laurence	Pryce-Jones, Lt.-Col. Edward
Blundell, Colonel Henry	Heaton, John Henniker	Purvis, Robert
Bond, Edward	Helder, Augustus	Rentoul, James Alexander
Boscawen, Arthur Griffith-	Henderson, Alexander	Ridley, Rt. Hn. Sir Matthew W.
Brodrick, Rt. Hon. St. John	Houston, R. P.	Ritchie, Rt. Hon Chas. Thomson
Carlile, William Walter	Howard, Joseph	Robertson, Herbert (Hackney
Carson, Rt. Hon. Sir Edward H.	Howell, William Tudor	Seely, Charles Hilton
Cavendish, V. C. W. (Derbysh.)	Howorth, Sir Henry Hoyle	Sharpe, William Edward T.
Chamberlain, J. Austen (Worc'r	Kennaway, Rt. Hn. Sir John H.	Simeon, Sir Barrington
Charrington, Spencer	Lawrence, Sir E Durning- (Corn	Sinclair, Louis (Romford)
Clare, Octavius Leigh	Lawson, John Grant (Yorks.)	Skewes-Cox, Thomas
Coghill, Douglas Harry	Lea, Sir Thomas (Londonderry)	Stewart, Sir M. J. M'Taggart
Collings, Rt. Hon. Jesse	Leigh-Bennet, Henry Currie	Strauss, Arthur
Colomb, Sir Jn. Charles Ready	Loder, Gerald Walter Erskine	Talbot, Rt. Hn. J. G. (Ox'd Univ
Cook, Fred. Lucas (Lambeth)	Long, Rt. Hn. Walter (Liverpool	Tritton, Charles Ernest
Cross, Alexander (Glasgow)	Lonsdale, John Brownlee	Wanklyn, James Leslie
Cruddas, William Donaldson	Lowe, Francis William	Welby, Lt.-Col. A. C. E. (Taunton
Curzon, Viscount	Macartney, W. G. Ellison	Whiteley, H. (Ashton-under-L)
Douglas, Rt. Hon. A. Akers-	Macdona, John Cumming	Whitmore, Charles Algernon
Fellowes, Hn. Ailwyn Edward	M'Arthur, Charles (Liverpool)	Williams, J. Powell- (Birm.)
Field, Admiral (Eastbourne)	M'Killop, James	Wylie, Alexander
Fisher, William Hayes	Mellor, Colonel (Lancashire)	Young, Commander (Berks, E.)
Flannery, Sir Fortescue	Middlemore, J. Throgmorton	TELLERS FOR THE NOES—
Fletcher, Sir Henry	More, Robt. Jasper (Shropshire)	Sir William Walrond and Mr. Anstruther.
Flower, Ernest	Morton, Arthur H. A (Deptford)	

Original Question again proposed.

MR. FLYNN (Cork, N.): May I ask, Mr. Lowther, in the interests of propriety, whether you do not think it right in view of the character of the discussion which the hon. Member for Flintshire is about to open, to send a message to the Ladies' Gallery that it might be desirable that any ladies there should withdraw.

*THE CHAIRMAN: I will cause an intimation to be sent to the Ladies' Gallery.

*MR. SAMUEL SMITH (Flintshire): I assure you, Mr. Lowther, that this is

not a pleasant task on which I am about to embark. It is nothing but a painful sense of duty which impels me to do so, much against my own inclination. I think the Committee knows pretty well the subject to which I am about to call attention. I refer to the disgraceful condition of many of the streets of London at night time. I ask the House to consider what it is possible for us to do in order to clear our country of what has become a national reproach. Many hon. Members have travelled, as I have travelled, over most parts of the world, and they will bear me out in saying that in no country will you see such sights as are to be witnessed in this metropolis. The State has spent immense sums in primary education, and the children are much better educated than they were a generation ago; but I ask the House, what is the education they get on the streets of the metropolis when they leave school and reach that susceptible age when character is formed? The centre of the metropolis is given up to a carnival of vice every night, and I doubt whether in the whole civilised world such open and hideous manifestation of vice is to be seen as may be witnessed in Piccadilly, Regent's Circus, and the adjacent streets in the neighbourhood of Westminster. Let me read to the House a letter I have received from one much respected, whose name is widely known and honoured. I refer to Bishop Barry, whose church and rectory are in Piccadilly—

"I am anxious not to exaggerate, but it is difficult to speak too strongly as to the state of things which is there allowed to exist, especially between the hours of 11 p.m. and 2 a.m. The nefarious traffic in vice is carried on unblushingly by those who are well known to the police as prostitutes, or as living on the wages of prostitution. Solicitation, especially of the young, is openly practised, sometimes almost to violence. It is all but impossible to walk down Piccadilly at that time without molestation. Rows of cabs stand along the streets, to be hired for conveyance to immoral houses. At times there is open disorder of hustling, shouting, and rowdyism in general, mostly under the influence of strong drink. Formal complaint has to be made before this is sufficiently checked by the police. We feel the condition deeply, as a grievance and a scandal. We do not, of course, expect that sensual vice can be eradicated by action of law. But we do think that the constant and flagrant exhibition of vice in our streets, and the presentation of dangerous temptation to the inexperienced, ought to be prevented; and in this we only claim for the metropolis what is already secured in some of our largest provincial cities."

Mr. Samuel Smith.

Permit me to read another letter from a friend of mine who works among young men, and has exceptional opportunities of knowing the state of London—

"I understand that to-morrow evening you purpose to call the attention of the House of Commons to the way in which prostitution and solicitation is allowed to prevail in the streets of the metropolis. For sixteen years I have been engaged in work amongst young men in the centre of London, and I have come to the conclusion after a long experience that thousands of young men who yearly fall into immoral practices in the metropolis do so because the temptation meets them at every street corner. It is not once or twice in the course of a walk that a man is solicited for immoral practices, but the principal streets in the centre of London are thronged with fallen women, who in the present day seem to be allowed to carry on their vile business without any restraint whatever. That this is a growing evil is evident from the way in which it has developed in recent years. Ten years ago it was a very uncommon thing for a man to be solicited in the City itself during the daytime, but this is now a matter of frequent occurrence in Ludgate Hill, St. Paul's Churchyard, and Cheapside, while what I think is an equally marked evidence of the spread of this evil is the way in which our suburban roads are now used for the purposes of prostitution. I know from personal experience that even at a distance of eight miles from London, in a very quiet suburb, three or four women are constantly walking up and down in the neighbourhood of the station, soliciting men returning to their homes from business, and I am told that this is true not only in the west of London, but also in the north, while the way in which immorality is carried on on some of our railways at the present time is a scandal to which attention should be called. It is a well-known fact that the first-class carriages of the District Railway are at night constantly used in this way. As a citizen of London, I do feel that we have a right to demand that what has been done in Glasgow, Liverpool, and Manchester should be done in London, and that the streets should be cleared of this tremendous evil. There is, however, another aspect of this question which equally deserves attention, and that is the tremendous growth during the past ten years in the issue of publications in which pictures of an exceedingly indecent character are constantly to be found, and I also think that some attention should be given to the fact that the exhibition of grossly obscene pictures in business establishments can be carried on with impunity. I have myself appealed to a London magistrate on this question, and have shown to him copies of publications purchased for sixpence, each of which contained sixteen pictures of women in a nude condition, calculated to have an injurious effect on the minds of young men, and I was assured by the magistrate that as the law stood at present it was impossible to proceed. Trusting that your efforts may meet with much success, and that a blow may be struck at what is, I believe, England's greatest enemy."

I have also a letter from Mr. Hugh Price Hughes, of the West London Mis-

sion, from which I will read an extract:—

"From an exceptional knowledge of the social evil during the last thirty years, I have long realised that, while the vice itself can be removed only by moral and Christian influences, the deliberately organised trade in vice ought to be attacked by public authority. There is no doubt that in some respects the condition of our streets is growing worse, especially in consequence of the great increase of foreign tradesmen in vice, and foreign women. There is no difficulty whatever, owing to recent legislation, in dealing with disorderly houses and disorderly clubs when the local authorities are willing to do their duty. The special difficulty in West London arises mainly from two lamentable facts. First, that the existing law with respect to solicitation is so grossly unjust: solicitation by a woman is a crime, but solicitation by a man is no crime at all. Those of us who know the facts are aware that the great majority of fallen women are the victims of weakness, and hunger, and misplaced affection, and moral weakness; only a small minority are deliberately vicious. That these poor wretches alone should suffer, while their betrayers and tempters go scot-free, is outrageous. And many of us feel an almost insuperable difficulty in taking steps against the victim, while the principal offender is positively encouraged by the existing law. Secondly, Greater London is in the unhappy condition of having no control over its own police, so that when the local police make any mistake, as was illustrated in the Cass case, it becomes at once a question of party politics. You know how admirably the local authorities have dealt with this evil at Sheffield, Glasgow, and elsewhere; but there municipal government is not mixed up with Imperial party politics, and the best citizens of all shades of opinion give their moral support to the police, which alone makes police action safe and effective. . . . . There is one thing, however, that could be done at once, and it would have an immense effect. The ever-growing multitude of well known foreign women may be sent home. No foreigner has any right whatever to come to this country for the mere purpose of breaking the law and promoting vice."

I think those are very weighty indictments; they are perfectly accurate, and the evil is not confined to a few streets; it is spread over the whole metropolis, especially where there are theatres; and it infests the public parks, except those under the control of the county council, where far better order is maintained. I have travelled in many countries, but I have never seen such open incitements to vice as you see in London, and surely the time has come to attempt a reformation. Now I shall be asked at once, have we any means of successfully grappling with this question? We have examples of what has been done in our own country. I remember when Liverpool was in the same condition as London is to-day. There was no attempt to clear the streets. It was considered the proper thing to tolerate the evil, and the streets were almost impassable to respectable people. We formed a vigilance committee, and at last a large watch committee determined to see the law enforced. We got a bench of magistrates who were determined to back up the police, and in ten years the outward aspect of Liverpool has entirely changed. I do not say that the evil has been removed altogether, but what has been done makes a very great difference to young men who come into Liverpool to learn a trade, and the same thing has taken place in all our northern towns. In Glasgow so complete is the change that it is extremely difficult now to perceive any prostitutes at all. The evil is almost entirely banished. Now, I wrote to the chief constables in these towns: Liverpool, Manchester, Glasgow, Sheffield, Cardiff, Edinburgh, and several others. But there are two towns where the change has been most remarkable, and I shall read to the House a few extracts from the letters of the chief constables of those towns and show how that change has been brought about. This is from the Chief Constable of Glasgow—

"Sir,—I am directed by the Lord Provost to forward to you returns showing the number of prostitutes apprehended during the last two years, in this city, for importuning passengers, and how they are disposed of. The Lord Provost has also asked me to explain to you the method adopted here in dealing with such cases, and I have pleasure in stating to you that we have no difficulty whatever in securing convictions against such offenders, as we are very well supported by the magistrates.

"Constables of experience, who know these females well, are sent out every evening in plain clothes to follow these females, and they have instructions to arrest and convey them to the office when they are observed importuning. The constables are enjoined to be exceedingly careful and not on any account to interfere with any female unless she is well known to them as a prostitute.

"The same constables have also instructions to watch for, and if possible detect, men molesting females.

"These plain clothes constables go on duty every evening at eight o'clock, and in the winter months constables are put along with detectives from 5 p.m. to watch offenders of the kind referred to.

"If there is any other information you desire I shall be pleased to let you have it."

I may say here that I am no party to any difference in the treatment of men in this matter. Well, that is the way in which Glasgow has effected the most extraordinary changes not only as regards this vice but others connected with it. They have suppressed indecent pictures and

publications also. Cardiff is another notable instance of what can be done. In that town you have the most mixed, and I might say, perhaps, the roughest population of any town in England. It is, as we all know, a seafaring town and contains a considerable quantity of foreign sailors. Well, here is the letter of the head constable of Cardiff—

"In reply to your letter of the 17th inst. respecting disorderly houses, etc., I beg to inform you that the police of this town have for the past ten years energetically enforced the law, and have been fairly successful in suppressing immoral conduct in the streets. When a disorderly house comes under the notice of a constable steps are at once taken to have it watched, and when sufficient evidence has been obtained a warrant is issued and the offenders brought to justice. If a conviction follows, the owner or agent of the property is sent an official notice, and if a second conviction is obtained against the same tenant the owner or agent is prosecuted. We have had several cases of this kind against owners of disorderly houses with the most beneficial results, but, as you may imagine, it is difficult to hit the owner.

"Prostitutes plying their calling in the public streets are arrested by the police and dealt with under the Towns Police Clauses Act for importuning passengers.

"Prosecutions, however, do not always succeed in suppressing disorderly houses, as the following account will show.

"A certain district of the town was up to about two years ago a very hot-bed of vice and disorderly houses, and although prosecution followed prosecution it seemed impossible to rid the neighbourhood of objectionable characters, and the difficulty was the greater consequent on the district in question being in the centre of the town and in the midst of many licensed houses. These, as may be imagined, were frequented by the people of this district, and in many cases proved meeting places for them. It was then decided to adopt special police measures to purify the place. These measures consisted of placing on duty at each end of each street a uniformed police constable to observe each house and those who frequented it. The result was that in about a fortnight's time the occupiers vacated their houses, and within three months there was not a single disorderly house in the district. These houses are now tenanted by respectable working men.

"With regard to establishments carried on under the guise of massage, we have no houses of this description in Cardiff.

"The circulation of objectionable illustrated literature in Cardiff has been of rare occurrence, but whenever anything of the sort has been attempted prompt measures have been taken. Only recently indecent mutoscopic prints were seized, and ordered to be destroyed by the justices, and the offender was subsequently indicted at the Cardiff borough quarter sessions for misdemeanour and convicted.

"The only way to stamp out vice and crime of this character is by energetic police measures combined with a rigorous administration of the law, and even then, where the evil is deep rooted, it is difficult to suppress it."

Mr. Samuel Smith.

I might tell the House that I have had endless complaints of indecent mutoscopic exhibitions, but I am told the Mutoscopic Company is very careful of the views it sells. But I will give the House a sufficient idea as to how it is possible to support the law and remedy this evil if it is determined to do so. I am quite prepared to admit that London differs from other large cities, and the difficulty of dealing with it is much greater, but that is all the more reason why it should be dealt with. I believe it is still getting worse because the police force is not under local control, but is a quasi-military body under the Home Office. It follows that any unpopularity incurred by the police is at once reflected on the Government. I know that the present Home Secretary is most anxious to abate these evils, but he is fettered by the traditions of the office. But the police are part of the administrative machinery of the Government, and if they happen to make a mistake, as they did in the Miss Cass case, advantage is taken to assail the Government. The police make mistakes in all these towns I have referred to, but the broad backs of the municipalities are strong enough to bear that. The representatives of the people are not afraid. Supposing in a single instance a man was apprehended by mistake for stealing, would the law as to theft afterwards be disregarded and allowed to fall into abeyance? I believe so long as we have the police system as it is the police can only be used in a feeble and ineffective manner. What I would propose would be that the County Council should be authorised to employ a body of inspectors who should go in plain clothes, as in Glasgow, and be confined to dealing with this evil and related evils, such as vile pictures, illustrated papers, books, and advertisements. I believe this policy steadily pursued would make a revolution in the metropolis in a few years. We are aware of the risk that men so employed may be tempted by heavy bribes to shut their eyes to what is going on. This work can only be done by a highly-paid class of men. Then I insist that there should be no inequality of the law between men and women. There is a strong feeling in this country against any legislation which is directed against women which is not also applicable to men.

*THE CHAIRMAN: I must remind the hon. Member that he must bring his remarks within the four corners of this Vote; he cannot suggest special legislation.

*MR. SAMUEL SMITH: I will confine my remarks to the state of things as they exist. I have in my hand a letter from a lady who has spent all her life in the work of rescue, in which she says—

"Within the last three or four years I have myself been annoyed by being joined and spoken to (old as I am) in full early afternoon-light on the pavement by the Polytechnic. Another time, longer ago, I was waiting a few minutes for my husband in Lincoln's Inn Fields, he having gone into an office, and could scarcely get rid of the man who spoke to me. I hope one lady will tell you of a man coming up to her on a wet day, and getting his head under her umbrella and terrifying her.

"I do not hope even to make you realise how terrifying these experiences are to even mature women. When I was superintending a college for working women in London, in a northern square (evening classes) girls used to come in panting and upset by their experiences in coming for their desired teaching. They were hard-working girls who were trying to improve themselves after their day's work—not giddy people. In that same neighbourhood a bad man at one time made himself a general terror. But a brave solicitor tackled him and drove him off.

"A young lady doctor going home from a midwifery case was insolently joined by a man. Happily she saw a policeman and had the wit to tell the policeman that the man needed protection as he was so frightened of walking alone so late at night. The sarcasm rid her of the annoyance.

"I have twice been roughly spoken to by police when in the streets at night, once when looking for a girl who was lost, and once when helping a rescue-worker. This is only relative as showing that the police are prone to take the bad character of women who are out at night very easily for granted. Of course this ought not to be so. And I fear an increase of this tendency of mind. I hope that a story will be sent to you of a quite ideally quiet and good young lady, who helped her mother in a domestic emergency by taking a little brother out in a perambulator. She was joined by a man, and walked through square after square till she was quite exhausted in the endeavour to rid herself of his company without showing him where she lived.

"I also hope that you will hear details of a story of a girl sent by her mistress, during day-time, to the post office, spoken to by a man, followed home, written to. In this case the girl told her mistress, and the man was successfully made sorry for his evil conduct."

I have a large number of letters of that kind with which I will not trouble the House; but the House will feel that a very large number of pure respectable women are exposed to annoyance from men in a manner which is simply intolerable.

*THE CHAIRMAN: The hon. Member must connect the Home Office with his remarks. He must bear in mind that he is discussing the Home Office Vote, and that it is not possible to go into these questions unless he can connect them in some way with that Vote.

*MR. SAMUEL SMITH: The way I connect them is this: I say that the administration of the police with regard to these matters is very ineffective, and is it not in order to mention such evidence as I have to show it is ineffective?

*THE CHAIRMAN: I should have thought that that would have come upon the Police Vote. Had I known what the hon. Gentleman was not going to connect it with this Vote I should have ruled him out of order long ago. I thought that he was going to say that some action that the Home Office might have taken they had not taken, or that they had taken some action which they ought not to have taken.

*MR. SAMUEL SMITH: May I ask if the Home Secretary is not the responsible head of the London police? As I understand we are discussing a motion for the reduction of the salary of the right hon. Gentleman.

*THE CHAIRMAN: The well-known rule is that you must raise a particular question on a particular Vote. I thought the hon. Gentleman was going to attack the Home Office in respect of some Acts which he apprehended were not properly enforced. He must in some way connect his argument with the administration of the Home Office.

*MR. SAMUEL SMITH: I will ask whether I am in order in mentioning that the Home Office and the Home Secretary do not enforce Lord Campbell's Act as it ought to be enforced. The main portion of my argument goes to show that London is infested with low illustrated papers full of indecent pictures. These are largely circulated among school children. I cannot conceive of anything more fitted to debauch the minds of the young. It seems almost a mockery to talk about giving them religious education, and then allow this disgusting trash

to be placed in their hands. I have personal experience, having examined it, of the printed rubbish, I cannot call it literature, which is circulated all over London, and I took the liberty of sending to the hon. Members of this House a copy of one paper full of these indecent pictures, and absolutely devoid of any moral sentiment from beginning to end. The point I wish to raise is, whether it is not possible for the Home Office to throw more vigour into the administration of the law, and whether it is not possible to put some check upon the villains who scour the picture galleries of Europe to collect the worst garbage and reproduce them in cheap forms for English circulation—the vile publishers who offer twenty-four of such pictures for 6d., and which are advertised in the cheap papers sold to boys and girls. Why is the law not enforced? I might remind the House that I carried through the House, twelve years ago, a resolution to this effect—

"That this House deplores the rapid spread of demoralising literature in this country, and is of opinion that the law against obscene publications and prints should be vigorously enforced, and, if necessary strengthened."

Let me tell the House what happened. After this resolution was passed there was no difficulty. It had a wonderful effect in quickening the action of the police authorities, and led to prosecutions all over Great Britain, and convictions were obtained with ease which could not be obtained before. An immense quantity of the rubbish was destroyed, and some of the chief offenders fled the country. That was a result of a vote of the House of Commons without any change in the law. Now I wish that upon this occasion we could have a similar expression of opinion. The law is strong enough, but I contend it is not put into force. It surprises me that London magistrates refuse to convict in such cases. The Home Secretary has seen some pictures which were brought before the Lord Mayor, and which he refused to proceed against. The silly argument is used that they are works of art. "Art" is used as a kind of charm. It reminds me of the way the Dublin Invincibles disguised the crime of murder by calling it "removal." They talked of "removing" Lord Frederick Cavendish and Mr. Burke, and seemed to think this took it out of the category of murder. So some sapient magistrates think that if you call the most lewd picture a work of art it becomes sacrosanct. There is a widespread opinion that the Ten Commandments do not apply to art or the drama. I do not think this House or the nation will endorse this opinion. There is one great firm which has been most particular as to the literature with which they dealt—Messrs. W. H. Smith and Sons; but I am sorry to say that of late years there has been laxity even there. It is a remarkable fact that in all matters of this kind it is public opinion which decides what the law shall be. The law should be made more rigid. Related to this trade in obscene pictures is the great abuse of mutoscopic or animated pictures. This wonderful discovery can be utilised to give rational and innocent entertainment, and usually is, but it is also used by ruffians to debauch the young. It is the custom now to take an empty shop into which these machines are put, and to put into the window suggestive or disgusting titles of the views, and then, in order to create notice, children are invited in to look at the machines, which contain pictures of semi-nude women, etc. In my constituency last year we discovered some "penny-in-the-slot" machines which exhibited grossly indecent pictures to boys and girls, and I had many letters complaining of this plague from seaside resorts. Now I am told that many parts of London are plagued with it. I have communicated with the Home Secretary again and again upon this subject. I have done my utmost to get accurate information, and I have made no statement which is not absolutely true. I find a great objection generally raised to prosecutions with regard to these pictures is that they are works of art. They are not works of art at all, but evil and obscene pictures. There is something now going on at Earl's Court Exhibition, where there are mutoscopic exhibitions in different parts of the grounds, and this is what is being shown. I quote from a reliable observer, who says—

"I visited the exhibition at Earl's Court on Friday, June 29th. Many 'animated pictures,' 'mutoscopic views,' or 'moving pictures' are on view there in various parts of the grounds and buildings, all exhibited by means of 'penny-in-the-slot machines.' The first set of machines I visited were advertised to contain 'mutoscopic' views, and a number were labelled with suggestive titles. I put a penny in one machine, and found that it contained a series of pictures of girls in short frocks en-

gaged in kicking at a hat which was held above their heads, there being at each attempt a liberal display of underclothing. In another machine of this set, labelled 'The Spider and the Fly,' views were exhibited showing a woman in tights sitting in the centre of an imitation spider's web, and inviting a young man to come to her. He resists at first; but in the last view, rushes forward, evidently to embrace her. There were many other views with suggestive titles. One which I saw was called 'Mixed Bathing Allowed,' and represented women in scanty bathing costumes playing on the beach. I visited another set of machines not labelled 'mutoscopic.' I asked the name of the owner, and was told by the attendant that they were owned by Gordon and Co., whose address I found to be 3 and 4, Pond Place, W. These pictures were the worst I have seen. One set was entitled 'Behind the Scenes of a Paris Theatre,' and consisted of thirteen pictures, which I saw. All of these pictures were objectionable, and many were indecent. One was the picture of a perfectly nude female; another represented a girl undressing in a bedroom; a third a girl with nothing on but a thin undergarment; and many were pictures of the lowest kind of French dancers in indecent and suggestive attitudes. I may add that the attendants at many of these machines are girls."

It is entirely forgotten that children must be protected in a different way from grown persons. The same principle applies to public placards. Many of these are disgusting, and border on the line that would enable a prosecution to be successfully undertaken. To say the least, they are extremely vulgar and brutalising; they are continually feeding the mind of the young with evil suggestions; and they induce a coarse and animal view of life. These pictures remain indelibly photographed on the minds of the young. Why should the young not be protected? Why should city councils not have a discretionary authority to keep the streets, which are public thoroughfares, free from this moral poison? I do not think this House realises what a relief it would be to fathers and mothers if they knew that these debasing advertisements could be suppressed. I bring these evils before the House assured of the sympathy of the Home Secretary. I know that he wishes his hands to be strengthened by this House, and I feel sure that if it agrees to this resolution, an era of reform will set in which will be fruitful of good to the rising generation.

Motion made, and Question proposed, "That a sum, not exceeding £96,207, be granted for the said Service." — (*Mr. Samuel Smith.*)

MR. SOUTTAR (Dumfriesshire): I rise to support the motion of my hon. friend, and my excuse for doing so is the fact that for more than sixteen years I have been connected with work specially amongst young men, and that I have had the opportunity of learning the difficulties young men have, especially in the metropolis. It is especially on behalf of young men that I would plead with the Home Secretary. Let me say that neither my hon. friend nor any of us pretends that there is any possibility of preventing sin in the City of London. All that we ask is that the Home Office should make London just as good as other cities are. Some of us who have travelled know the cities of India intimately, and many of us have been in the cities of America, and in the cities on the Continent. I do not hesitate to say that there is no city in India, America, or on the Continent, or even in the provinces of this country that at all approaches to the condition of London. In London we see vice flaunting. Of course, hon. Members will perhaps say that in other countries it is thrust underground. That is perfectly and absolutely true; but from my point of view I think that there is very great danger in the open flaunting of vice. I came to London myself as a young man of seventeen, and let me say that there are many hon. Members here who have no conception of what the temptations of the people are. They go to preparatory schools in their childhood, they go to public schools in their boyhood, and as they get older they go to the university. In the preparatory school, the public school, and the university they are specially sheltered—although there are many other temptations—from this particular form of temptation. But a young man comes to London and goes into a shop or an office, and having the whole evening to himself he is expected to turn out as soon as the shutters are put up, and he is not expected home till supper time. He is looked upon as a trouble if he remains in the place of business or the home attached to it, during the evening hours. What place has he to go to except the streets? It has been very well said that the streets are the playground of the poor. I know the truth as regards a large number of the young men who come up from the provinces. Many of them escape the perils around them and become leading citizens in London, but

many others—I am afraid a very considerable number of them—are absolutely ruined for time and eternity before they have been six months in the City of London. I know that temptations must abound; but I do think that the Home Secretary, if enabled by the strong opinion of the House of Commons to carry out that which I believe to be in his heart—could arrange that there should be less of this open temptation which so easily catches a young man when he first comes to the City of London. But I appeal to the Home Secretary not only on behalf of young men, but also of young women. I believe that if any Member will just go and stand in Regent Circus, Piccadilly Circus, Regent Street, or Piccadilly during the time that shops are closing, and when the milliners, shop girls, and dressmakers are going home, he will entirely understand my position and sympathise with what I say. He will see there girls who are working very hard, earning, perhaps, 10s. or 15s., or at the outside £1 a week, who are dressed very sparingly, and sometimes in very poor garments, jostled and thrust into the gutter by women in silks and satins. Can you wonder if girls in that position, if they contrast their position with the position of those others, should begin to consider whether after all it would not pay to become vicious like the rest? Not only is that true of that class of girls, but I think the condition of our streets is a great temptation to all the children of the poor. A working man cannot afford to dress his girls the way these women are dressed, and every woman is naturally fond of good clothing. When the daughters of our poor respectable working-men begin to wander in the streets, and to see how these women are able to dress, can you wonder if that also forms a very strong temptation to them; because, of course, these poor creatures do not see the whole story. They know nothing of the hospital, the awful disease, and the terrible death. All they see is the good apparel, and all they know of the life of the women walking the pavement is that their condition seems to be much better than their own. There is another reason why I should entreat the Home Office to do something. I know as a matter of fact that in many parts of London the condition of the streets—a condition which is tolerated by the Home Office—is reducing the value of property. I could take hon. Members to whole districts where rents have been reduced 20 and even 30 per cent., and in some places even more than that, and if you ask the house agents why the rents have been reduced they will tell you it is because these particular streets have become the haunts of prostitutes—not to a very great extent, but where a few girls cluster in the evening, perhaps a dozen at most. Yet that one fact has reduced the value of property to a considerable extent. I think these are considerations which ought to affect the mind of those who are in authority. Let me just say one word in conclusion. My hon. friend has spoken of foreign women who come to London. I know as a matter of fact that there is a very great deal more of that than anybody would conceive who had not studied the question. I will say more—I know as a matter of fact that the earnings of these women are not the earnings of their particular vile trade, but that they depend, and those who support them and brought them over depend, upon robbery and blackmail. There is far more of that going on in London than anybody has any conception of, and for the sake of our young men and young women, for the sake of the owners of property and those who desire to spend peaceful lives, and also for the sake of the protection of the citizens, I think the Home Office ought to strengthen itself in this matter, and make London a place fit to live in.

*Sir M. WHITE RIDLEY: I do not doubt the sincerity of the hon. Gentleman who moved the reduction of my salary—for the very extraordinary reason that I am not able to control the morals of London—nor the earnestness of the hon. Gentleman who seconded the motion. I agree with the hon. Members that a great many of the things which are seen in London, advertisements and otherwise, are disgusting. But there is a very great difference between objectionable publications and objectionable exhibitions which come within the law, and those which are merely coarse, vulgar, and, if you like, degrading and demoralising, but which it is not possible at present to prosecute. It is, in these circumstances, rather hard that the Home Office or the police should be attacked, as they have been by the hon. Member who seconded the motion,

for not having done more to keep more pure and free from abomination particular streets in London. I should be very glad to know any case in which either that hon. Gentleman or the hon. Member for Flintshire considers the police have failed to do their duty in the way of prosecutions.

MR. SOUTTAR: I referred to the Home Office in such a way as merely to keep myself within the ruling of the Chairman.

*SIR M. WHITE RIDLEY: I am perfectly willing to take upon myself the responsibility for the police. Nobody who takes an interest in this question can be altogether pleased with a great many things to be seen in certain parts of London at certain times of the night; but I do not agree that, under the present condition of the law, or under any condition of the law that is likely to be sanctioned by Parliament, it is very easy to remedy that state of things. If you are to clear the streets of women who solicit you must have evidence to take the offenders before the magistrates; and, although the police, who walk about mostly in couples in order to avoid mistakes and charges of blackmail, make every effort to deal with the evil, the private persons who are subjected to annoyance are not, as a rule, willing to come forward, and without their evidence there is very little chance of obtaining convictions. I can assure hon. Gentlemen who take an interest in these matters that I have assured the police over and over again that they will receive every support from the Home Office in taking cases before the magistrates in which there is evidence that there has been a contravention of the law to the annoyance of any person in the street. The figures show that there has been an increase of these charges during the past few years, and an increase of convictions. But the hon. Gentleman spoke of the way the streets of Liverpool or Manchester had been reformed. Even if the law in these cities is the same as in London, that is not the case with Glasgow (also mentioned by the hon. Member), where there is a law which would not be tolerated in London. And in any case in Liverpool a great many persons interested in the state of the streets have banded themselves together, as I understand, and made it their business to bring cases before the magistrates to be dealt with, and that could be done also in London perhaps with the special co-operation of the vestries. To make the police the primary and main prosecutors in these cases is a dangerous thing, but I have instructed the police to give every assistance in their power to persons who bring such charges, and those who bring charges against persons breaking the law will have the entire support of the Home Office. I did not understand the hon. Member for Flintshire to make any charge against me for failing to support local authorities in the suppression of disorderly houses. I did not understand him to say that I could do more in that respect. The police have instructions to give every assistance that can be given to vestries and local authorities in the way of getting evidence for the suppression of disorderly houses. A great deal has been done in that direction in the past few years. For instance, the figures show that in 1898 in London there were 222 convictions in cases brought mainly through the action of the police. The hon. Member for Dumfriesshire referred to the case of those infamous persons who live upon the earnings of these unhappy women, but he failed to give the Home Office credit for the passing of an Act two years ago which so frightened many of these persons that, before it received the Royal Assent, they fled from the country. Moreover, during the two months or so of 1898 during which the Act was in operation there were in London alone thirty-nine prosecutions under it and thirty-three convictions, while last year there were about 200 charges and 130 convictions of such persons. The hon. Member for Flintshire referred to the exhibition of newspapers and photographs of a demoralising and degrading character, and I think there is a great deal of truth in what he says—namely, that much of what is going on in this respect must be shocking to any man or woman who has regard to the morality of the country. But, coarse as many of these publications are, they do not come within the limits of the law as far as I know; while with regard to the living pictures to which the hon. Gentleman has directed my attention there is not one in which, on the evidence which I have been able to get, there is a chance of obtaining a conviction. I do not think the police or myself can be blamed for not prosecuting. The hon. Gentleman sent me an illustrated publication this morning, and I assume that he thinks that paper could be prosecuted with success. I venture to say that no court

of summary jurisdiction and no jury would declare the publication to be obscene. They are not very beautiful pictures, perhaps, that are reproduced therein, but I do not think the hon. Gentleman is quite right in setting up his own standard of what he considers immoral and obscene when he blames the authorities for not prosecuting papers of that kind. That is an instance he gave me of the kind of publication which ought to be prosecuted. I have done everything I could within the limits of the law both to protect the streets of London, keeping them as clear as possible of vice, and to give every assistance to local authorities to put down disorderly houses. I have done everything I could to instruct the Public Prosecutor to act where prosecutions could be entered upon with success, and I do not think any reason has been shown why I should depart from the course I have taken. I am most anxious to carry out the law as it stands, and I think that a good deal more could be done if more public feeling were exhibited in deprecation of a good deal that is published and done. But that is a very different thing from bringing new things within the criminal law. I can only assure the hon. Gentleman and his supporters that the police are not insensible of their duty in any respect, and as long as I hold my office I will do my best under advice to deal with that which can be taken notice of. After this assurance I hope the Committee will be content with the discussion which has taken place.

MR. JOHN BURNS: The hon. Member for Flintshire has done what he considers to be his duty in bringing before the House of Commons the condition of the streets of London as viewed by himself. I do not associate myself with the motive that has induced the hon. Gentleman to make the speech and to give the evidence to which we have listened to-night, but I will say this: I think it can be said of all of us, whether we are puritanical or religious, whether we are strait-laced or whether we look at life in a cavalier manner, that we are agreed as to the necessity of London being a clean, decent, healthy, but free city. We all want to save youth, both boys and girls, from contamination. But it is not only in the streets of London that boys and girls are contaminated. I have heard that, through evil influence and bad environment, schools which I need not name have done a great deal more to corrupt certain youths than ever poor boys have been corrupted in the slums of the East End of London. It is evident, also, that religion does not always mean a strict adherence to monogamic rules and a low illegitimate birth rate. I have known countries which were very religious, but whose illegitimate birth rate was disproportionately high. But without being a puritan and without desiring to restrict, I believe the hon. Member for Flintshire has made out a case for the law being more strictly enforced, and police administration being more sensibly and more vigilantly pushed forward. Given every latitude that ought to be given to freedom, to disciplined gaiety, to art, to literature, and to the rational enjoyment of a free people in their own way in a rich and large city, I think there is yet much to be done to prevent sheer animalism and brutality and bestiality protruding themselves as they have protruded themselves recently in very subtle forms in the West End of London. I, for instance, do not share the view of my hon. friend about prostitution. I believe that prostitution is economic, social, sometimes industrial, and so far as persons are concerned it is often purely physical. When economic conditions prevent marital relationship, as they often do, concubinage prevails, prostitution exists, and vice and sometimes bestiality follow. You cannot put down prostitution by pious opinion, by religious sentiment, or by calling upon the Home Secretary to send the police to suppress it. But at the same time, when that prostitution assumes the indecent phase it can be seen to assume in certain streets of London, prostitution in its objectionable form has got to be dealt with. I do not want to harry these poor women who ply their dreadful calling with most melancholy features as a rule, whose dress is disproportionately gay, as their real spirits are very low and drab in colour. I should be sorry to see detectives put to watch these people or to worry them in any way whatsoever; but, so far as it is possible to remove and reduce prostitution, I am in favour of it being done. Having said that, it is possible so to organise the public decency of streets as to give liberty, almost licence, and yet keep the young from being corrupted. I am a practical man and a Londoner, and I venture to say there is not an officer in Scotland Yard who knows more of the

shady side of London than I do—a cockney lad, born and bred. But we have been able to purge the London parks of not always the poor ruffian, but frequently the well-dressed ruffian, who had sated his appetite in every other direction, and looked upon our London parks and playgrounds as a means to satisfy an appetite I need not refer to. We have done that in ten years—and how have we done it? I can remember the time when the parks of the Metropolitan Board of Works were as repulsive and as indecent as a superintendent of police told me, to his shame, the other night, in his opinion St. James's and Hyde Parks are at this very time. How have we done it? We have told our constables they are to do their best to protect the young against these men who molest them. It has been done, and the result is that every London mother can now look upon a London County Council park or open space not only as a playground, but, so to speak, as a moral sanctuary in which her young boys and girls can go and play unmolested. I do not want to give you all the details of how we have done it. Our constables, perhaps, were not too precise as to the spirit and the letter of the law; there were some councillors who, unlike the Home Office, did not hesitate to assist the constables in purging the parks and open spaces of this particular type of person. But there is the fact—those persons have been cleared out, and the parks are free of them. I believe that, by a similar vigorous application of the same conditions of service, the same result could to a great extent be secured in Hyde Park and in some of the streets. Now I come to a statement made by the hon. Member for Flintshire. He quoted Bishop Barry. I wish he had also quoted Bishop Barry's reference to the inefficient administration of the Home Office some two or three years ago, and that he had given the opinion of some of the local people that the police were not doing in that particular district everything they might do. But the hon. Member did not do so. I, however, will venture to say that in this respect the Home Secretary is not doing what he ought to do under the law. Why do I say that? I had the pleasure and honour of helping the late Attorney General one morning in 1898 in getting through a very small Act, which, like many small things, seems to have done a great deal of good. That was an amendment of the Vagrancy Act of 1824.

*SIR M. WHITE RIDLEY: My own Act.

MR. JOHN BURNS: I agree. I do not want to deny the right hon. Gentleman the authorship. So far as the authorship is concerned I will divide it equally between the late Attorney General and the Home Secretary. But what was the effect of that measure? Immediately after the Act was passed and put into force—within a week—400 French, Belgian, German, and other bullies left London by steamer and returned to the Continent. However charitable we may be to the women who are driven to prostitution from any cause, we have no right to be in any way sympathetic to the ruffians who live upon these women, who not only brutally ill-treat the women, but are also systematic criminals, and who, when they are not ill-treating the women, and living on the proceeds of their degradation, or consorting with thieves, are doing other and worse things. With that type of man we ought to have no sympathy whatever. But somehow or other, during the last two years, these people have returned. Owing to the laxity of the administration of that Act between 1898 and 1900 these men are coming back again, and if the right hon. Gentleman will go to Piccadilly Circus, Charles Street, Duke Street, and George Street—I will run him round myself with pleasure—he will see that some portions of Piccadilly are getting as bad as they used to be. I am not altogether concerned about the prostitute, as I said, but I am concerned in putting down the *souteneur* and the bully. I am also credibly informed that there is taking root in London a new form of vice, Eastern in its origin, and most animal and bestial in its character. This form of vice has got to be, and can be, stamped out in so far as it applies to the men, and it can be done under the terms of the Act to which I have referred. The right hon. Gentleman said he had not been directly censured by the hon. Member for Flintshire for negligence in these matters. I will have the boldness to say that if the Home Secretary wants to make London decent he should carry out the suggestion I will make to him. Let him transfer the East End superintendents at once for two years from the East End of London, where these things do not prevail, to the

A, B, C, D and E divisions; let them come over with their East London ideas of morality and public decency and enforce in the West End what they daily and nightly do in the East End, and he will find that much of the objectionable things the hon. Member for Flintshire has mentioned will disappear. Now, I will come a little closer to the right hon. Gentleman. He wants to know how these things can be stopped. I will make a practical suggestion. He admits that blackmailing is increasing. So it is.

*Sir M. WHITE RIDLEY: I did not say so.

Mr. JOHN BURNS: I think that if the right hon. Gentleman asks Sir Edward Bradford he will be told that that is the case, and the right hon. Gentleman's own Report as to the convictions under the Vagrancy Act will also prove it. The Home Secretary says he is quite willing to do anything he can to check this evil without interfering with the freedom, the gaiety, and the happiness of this big city. Here is my suggestion. Notwithstanding the fact that they do not always do everything they should, I believe that the Metropolitan Police, after the City Police, are the best police force in the world. I ought to know something about that, as I have come into closer contact with them than any other Member of the House. I let it go at that. After the City Police—who are better paid, are under municipal control, are under a Watch Committee, and the chief of whom is in daily contact with the citizens on the Watch Committee—the Metropolitan Police are the best in the world. But they are not good enough in this respect. In their own journal, the *Police Review*, you find evidence of things being done by the police which, say what you like, do undermine vigilance, destroy probity, and affect impartiality. If the Home Secretary wants to clear the West End of London of these evils he has got to render it impossible for 1,171 policemen to be compelled to live on a net weekly wage of 21s. 10d. per week. You have no right to ask a young policeman, six feet in height, to live in the neighbourhood of Piccadilly on such a wage. When there are *souteneurs*, bullies, restaurant and club proprietors, and brothel keepers around him night and day, it is too low a wage. There are 4,366 constables, both married and single, in London getting the miserable wage of 28s. and under per week. If the Home Secretary thinks he can get a man on point duty in Piccadilly Circus from eleven o'clock at night until two o'clock in the morning to walk the straight path of duty, integrity, and probity, on 21s. 10d. per week, out of which he has probably a wife and two children to keep, he is asking too much from a policeman whose lot ordinarily is not a happy one. He should make it a rule that no man employed in the West End district of London should have less than 30s. a week as a minimum, while the special point duty men—and this would not apply to more than 1,000 men—in the A, B, C, D, and E divisions should have not less than 35s. Why do I say 35s.? Because it is well known in the force that married men always make the best policemen. There is a reason for it; we do not want to discuss it. I would always prefer to have married men for this class of work. If the right hon. Gentleman would give these men a minimum wage of 35s. or 30s. plus a lodging allowance, which the men have a right to claim, I am positively convinced that many of the things to which the hon. Gentleman has objected would be removed by mere administrative improvement and efficiency. The right hon. Gentleman may ask me what reason I have for suggesting any increase of wage. Looking at his Report this year, I find 2,000 constables out of 13,000 were reported and punished; 349 were reduced in pay to the extent of from 2s. to 8s. weekly; and 131 were dismissed the force. I want to know why those 2,000 men were reported and punished.

*The CHAIRMAN: I think the hon. Member is rather anticipating the Vote for the Police Force.

Mr. JOHN BURNS: It is exceedingly difficult for me, having been asked by the Home Secretary to give direct instances, to keep within the strict technical ruling, and I should personally be very much obliged if you would allow me to reply to the right hon. Gentleman. I see no other way of doing it.

*Sir M. WHITE RIDLEY was understood to say he had not made such a request; all he had said was that he was prepared to support the police in carrying out the law.

MR. JOHN BURNS: My answer to that is, that the only way you can have the law carried out efficiently is to put these constables in the position I have indicated. I am quoting these instances in which the law has been broken, and I want to know what breach of the law it was that caused the right hon. Gentleman to dismiss 131 policemen last year.

*THE CHAIRMAN: I think that is a matter of detail which must come upon the detailed Vote for the Metropolitan Police.

MR. JOHN BURNS: Then as I cannot enlarge upon this particular point, I should be driven to prove that the Vagrancy Act and nearly all the sixty Acts under which the Home Secretary administers the London police force are not so well enforced as they should be, simply because it is impossible for a London constable to be virtuous on 21s. 10d. per week. I now come to another point. I am not only concerned with the police in relation to vice and indecency; I have a complaint to make about the way in which the police law is evaded in regard to coffee-stalls at night-time. I am not talking of *bona fide* coffee-stalls, but of those innumerable coffee-stalls that are springing up, especially where prostitutes most do congregate, which give an excuse for disorderly people to gather, and which are a centre of rows, trouble, assaults, and so forth. If the police were better treated and better paid they would be able to deal with these conditions better than they now do. I have in my hand protests from the Lambeth Vestry, the Rotherhithe Vestry, and the Walworth Vestry, from a conference of local authorities held upon the condition of London streets at night time, and they all side with me in saying that if the police and the Home Secretary did their duty more vigilantly, many of the objectionable things we have witnessed could be abolished. My last point is strictly germane to the question. The Home Secretary must know that in the *Police Review*, which is filed and bound most religiously at the Home Office, and which is read by every member of the force, the best officers are saying there is a condition of things going on in regard to the Metropolitan Police Force that makes for dereliction of duty and brings about on the part of the police an obligation to the club proprietors, restaurant keepers, and publicans in the West End of London. What is that? It is the touting of tickets for the Metropolitan Police Orphanage, for police excursions, and many other things connected with the police. The practice is denounced by the men's own journal. I will tell you how it is done. A policeman is told off to go to a West End club, a restaurant, perhaps a brothel under the name of a club. He says to the proprietor, "Take £5 worth of tickets for our Metropolitan Police Orphanage, will you?" The proprietor, anxious to be on good terms with the police, takes the tickets, and what does he do? He says, "I do not want to go to this; you take the tickets back again." The tickets are taken back again, and there is the charge in the *Police Review* that tickets which have been paid for once are sold over and over again, and the men make money out of them. The effect of this is that the club proprietors, publicans, and brothel-keepers have indirectly the police under their control. Stop the police doing this kind of thing. If you do not stop it, the things the hon. Member for Flintshire has complained of will go on; the system will extend and deepen until we will have in London what you can see in the "Tenderloin" district of New York, where the chief inspector, when I was there five years ago, admitted making £10,000 a year by blackmailing the gambling hells and prostitutes in that district. Stop this practice; make it illegal; dismiss the first constable or officer found doing it in connection with the orphanage, cricket club, or anything else. If you do that, and raise the wages to 35s. a week, you will do a great deal towards purging the police force and removing many of the evils complained of. I have one other suggestion. Get rid of your four chief constables. You have four chief constables getting about £4,000 a year. You do not want them; they are superfluous; they interfere with the superintendents; they are unnecessary; they are mischievous. Get rid of them, and the money you save can be used for raising the wages of the constables. You should also see that your superintendents of police go about not in the plain clothes they now do. What is the chief merit of the superintendent of police in a provincial town? It is that everybody knows him; he is in uniform; and if a shopkeeper is molested in any way by roughs he goes

straight up to the superintendent and says, "Put a man on here." We never see the superintendent of a division in London; he is either burying himself in musty documents in his office—which a fourth-rate constable could do—or he is riding about in a dogcart in civilian clothes, and nobody knows him. Let the superintendents walk about each of the thirty divisions of London, known to the people, accessible to every vestryman, guardian, and county councillor. If he brings himself into contact with the people great good will be done. As you, Sir, have decided that I cannot go further into the details of police administration; as I am not allowed to quote the numbers of the *Police Review* dated 28th July, 1899, May, and so forth, which confirm every statement I have made; as this is not the opportunity of giving detailed suggestions as to how Scotland Yard could be improved and the police force generally made more efficient, I will conclude by saying that you have got a good police force, but that force is being "militarised" too much. The best police force is a civilian force; I believe the best chief constables are lawyers who have the judicial mind and the civilian instinct——

*THE CHAIRMAN: The hon. Member is now clearly diverging from the Vote under discussion.

MR. JOHN BURNS: Very well, Sir. I will conclude by asking the right hon. Gentleman to pay deep attention to the suggestions I have made, and not to accept every puritanical suggestion of my hon. friend the Member for Flintshire. If the right hon. Gentleman is at all inclined to doubt any of my statements, and would like a personally conducted tour to prove every one of my assertions, I shall be delighted to oblige him. He may rely upon this, that the streets of London will never be as pure as they ought to be until my suggestion with regard to the minimum wage of the constable is carried out, so that he may not be so liable to the temptation to which too many succumb.

*SIR M. WHITE RIDLEY: The hon. Member for Battersea has made a very serious charge against the London police force. Of course it is a charge I cannot accept, and I have no knowledge of its truth; but I will examine into the statements which have been made. Meanwhile I repudiate them most warmly.

SIR MARK STEWART (Kirkcudbrightshire) thought those who lived in London and had children and young acquaintances must feel ashamed of the condition of things in the streets. They knew how these matters were treated in Scotland, and his hon. friend the Member for Flintshire had instanced Sheffield, Manchester, Cardiff, and other large towns as symbolical of what London ought to be. He thought a great deal more ought to be done in London to suppress bad literature, which was very harmful and hurtful to the morals of the young. In these matters they represented their constituencies, who were quite as anxious as they were that something should be done, and it was their duty to urge upon the Government the necessity of doing something to suppress these vices. They were all perfectly well aware of the disgraceful things they saw in shop windows, which were exhibited practically uncontrolled by the police, for they were photographs and drawings of what they deemed impure and immoral. They should strengthen the hands of the Home Secretary in dealing with these matters, and he believed that was the intention of the hon. Member for Flintshire, who did not move this reduction simply to catch a party vote. He congratulated his hon. friend upon bringing forward this motion, and he was glad to hear that he did not intend to put the Committee to the trouble of a division. A great deal more required to be done in the way of suppressing this vice, and he trusted his right hon. friend would not relax his efforts in that direction.

*MR. H. J. WILSON (Yorkshire, W.R., Holmfirth): None of us expect to make people moral by Act of Parliament, but you can do a very great deal to remove temptations to immorality by legislation and administration, and that is all the hon. Member for Flint requires to be done. I want the Home Secretary to make himself acquainted with the administration of some of the large towns in the North of England, and if he does he will find that there are more ways and means under the existing law than those which have been adopted in London. If he would acquaint himself with what is going on in large northern towns he would find a much better state of things, and he would derive very great benefit from it. Action of different kinds has been taken elsewhere to deal with this evil. We are getting more particular every day in

regard to the dangers arising from bad food, drink, and milk, and I know not what besides, and I do not see why we should not become more alive to the dangers to the moral and mental condition of the people which now prevail. If the Home Secretary will give me his attention for one single moment I want to impress upon him the necessity of making himself acquainted with the administration adopted in other towns in the North of England where he might get some hints which might be applied with advantage to the administration of London.

MR. SPICER (Monmouth Boroughs): If I understood the reply of the right hon. Gentleman correctly it seems to me to be that so far as the law permits the police are doing all that is possible in London to suppress this evil. If that is the case surely it is a strong reason why the law should be strengthened.

*THE CHAIRMAN: The hon. Member will not be in order in discussing that point.

MR. SPICER: I am criticising the Home Department in connection with the Home Secretary's powers, and urging that if his powers are not sufficient he should come down to this House and ask permission to strengthen them.

*THE CHAIRMAN: The legislation to which the hon. Member alludes is the action of this House and not the action of the Home Secretary. All that the hon. Member can discuss is the action of the Home Office upon this question.

MR. SPICER: It is very difficult to keep within your ruling, Mr. Chairman. I think we ought to be deeply indebted to the hon. Member for Flintshire for bringing up this matter. We know that it is a disagreeable question, and we who have lived in London all our lives are beginning to be ashamed of the administration of the streets, and we hardly know where to begin to try and remedy the evil. I feel indebted to the hon. Member for Flintshire for having had the moral courage to bring up this question in order that the House may consider it. I trust this debate will not be without influence in stimulating the new borough councils to try and put down this terrible evil.

MR. CHANNING (Northamptonshire, E.): I do not intend to prolong this debate upon the topic which has been generally discussed, but I think my hon. friend has been amply justified in raising so serious a subject, and no one recognises more than I do the practical work that has been done by the Home Secretary under the several headings he has mentioned, and especially under the Vagrancy Act, and in regard to massage houses where several prosecutions have been undertaken. But I wish to call the right hon. Gentleman's attention to a certain class of advertisements which are deliberately inserted in newspapers. It is a question which goes to the very root of society, and one which it is most desirable we should check. I am informed that powers do exist for checking and dealing with this evil if sufficient proof is obtainable that these practices are improper and immoral. Immediately after attempting to deal with this question myself I received a large number of communications, and among them was one from a gentleman in the South of England. He had visited his young nephew, and found in his room a heap of disgusting illustrations, and things of the kind to which his hon. friend had referred, and they contained a very large number of those infamous advertisements to which I drew attention at that time, and in which I had the sympathy of the Home Secretary. These people were absolutely making money out of the encouragement of a certain vice by blackmailing unfortunate women. Seeing as I have seen within the last few months these things actually exhibited in shop-windows in many parts of London, I think we ought to have some assurance that this particular matter is engaging the attention of the Home Office, and that some steps are being taken to send special inspectors to investigate cases of this kind. I think we ought to have some assurance from the right hon. Gentleman that this question will be dealt with, and if his powers are not sufficient to deal with this class of advertisements which are scattered broadcast all over the country, I think it will be very satisfactory for the House to learn that the question is engaging the attention of the Home Office, and that he will attempt to carry out some legislation to deal with it.

*SIR M. WHITE RIDLEY: The subject of which the hon. Member has spoken has been engaging my attention. I have had a good deal of advice upon the subject, and I am informed that even where the law is quite sufficient, the

difficulty is to procure evidence. So far as the question touches newspaper advertisements, it is a rather serious matter to deal with. I admit that at present I have no remedy, but I have certainly not lost sight of the matter, and I am most anxious to meet what I conceive to be a growing evil. As a matter of fact, I have had more than one draft Bill for the purpose before me; but the difficulties are very great.

*MR. SAMUEL SMITH: I beg leave to withdraw my motion to divide the House, and I thank the Home Secretary for the sympathy with which he has replied. I believe that very good results will come from this debate. Probably when the Home Secretary has time to deal with the question he will do so, and perhaps he will take into account the remarks of the hon. Member for Battersea in dealing with the delicate work which requires to be done. I beg to thank the House for giving me this opportunity of raising the question.

Motion, by leave, withdrawn.

Original Question again proposed.

MR. WEIR (Ross and Cromarty) said there were one or two other matters in connection with the office of the Home Secretary to which he wished to refer. There was a sum of £65,000, which had been expended upon the inspection of factories and workshops. He wished to ask the right hon. Gentleman if he would see that the post offices of the country were inspected regularly, properly ventilated, and kept in a sanitary condition. Perhaps the right hon. Gentleman could manage to co-operate with the Post Office authorities in this matter. Then there was the item of £315 a year paid to an inspector, and £210 paid to an assistant inspector under the Cruelty to Animals Act. He wished to call attention more particularly to the question of vivisection, which was a very serious one. He believed there were at the London University College twenty gentlemen who were licensed vivisectors. The consequence was that there was a lot of unnecessary torturing of animals and a great many cruelties carried out in these experiments. He understood that some 236 dogs and cats had been operated upon. Some of these animals were allowed to recover consciousness after being disembowelled, and to make observations electricity was applied to the end of the nerves. That was a sort of thing which ought not to be allowed. He did not say that vivisection was not necessary in the interests of medical science, but he did say that the system of torturing dumb animals should either be stopped or minimised as far as possible. He appealed to the right hon. Gentleman to see that these inspectors did their duty more than they had done in the past. He was afraid that a large amount of cruelty had been carried on, and it was impossible for the inspectors to do their work thoroughly under the system which they adopted. The inspectors ought to make surprise visits to these places, for it was not enough to intimate in advance that they would visit certain places at a certain day and hour, with the result that everything was prepared for the inspector and his assistant. He trusted that the right hon. Gentleman would give him some assurance that he would have this matter looked into as far as he could, so as to stop this cruelty to dumb animals. On the 20th of March this year he asked the right hon. Gentleman a question as to whether omnibus conductors were empowered by law to demand payment of the fares before the completion of the journey. In regard to these omnibuses, they were constructed to carry twelve persons inside and not thirteen; but when the inspector came inside to look at the tickets there were thirteen passengers, which was one more than the law allowed. Surely it was the duty of the Home Secretary to put an end to this infringement of the law. It was a very serious annoyance to passengers to have to pay their fares before they reach their journey's end. He would like to ask how the right hon. Gentleman would like an inspector to open the door of his carriage and ask him for his carriage licence. He felt that it was a great piece of impertinence on the part of 'bus conductors to demand the fares in advance. It was a practice which was growing in London, and which was getting worse and worse. The conductor had no right to demand payment of the fares in advance. What would they think if when they jumped into a cab the cabman demanded a shilling before he started? In answer to his question on the 20th March the Home Secretary said he had no power to interfere, but he had written to the Commissioner of Police with reference to the payment of 'bus fares in advance, and that official had

replied, stating that omnibus conductors were not empowered by law to demand the payment of the fare before the termination of the journey. He wished to know whether the Home Secretary or the Chief Commissioner of Police was right. The inspectors were an intolerable nuisance. When he was asked to show his ticket, he refused to do so, because he objected to play the spy and the detective on omnibus conductors, who worked sixteen or seventeen hours a day at a very small wage. That was not his business, and it was not fair, perhaps, on a cold day when a passenger was buttoned up to the chin to be asked to show his ticket, and to have to take off his gloves to do it. He wanted the Home Secretary to stop that annoyance. It was increasing every day, and by and by people would begin to think it was the law, and perhaps the omnibus proprietors would have a Bill brought before Parliament making it compulsory on passengers to show their tickets. Of course, when it became compulsory he would fall in with the law, as he did in the case of tramway companies, which had Parliamentary powers in the matter. But omnibus inspectors had no right to annoy passengers in that way, and the Home Secretary ought to make it his duty to see that the public were protected from the annoyance, and that they should have as much peace and calm and time for reflection in an omnibus as if they were in their own private carriages. At present there was no peace, and an hon. Member coming down to the House in an omnibus was unable to think over the next move to further the interests of his constituents. He hoped the Home Secretary would not remain dumb like some of his colleagues on the Treasury Bench, because if he did he would be compelled to divide on the Vote. He trusted that he would not be put to such a painful necessity at such a late hour.

*SIR M. WHITE RIDLEY: With regard to omnibus conductors, I have already informed the hon. Gentleman that I have no power to interfere. The hon. Gentleman knows that the statutory rights possessed by tramway companies are very different from the rights of omnibus companies. If the hon. Gentleman has any wish to ascertain the law he has the ordinary means of testing it, but I am advised that I cannot interfere officially. As regards the administration of the Vivisection Act I am satisfied, having examined the matter very closely, that with a view to the restraint of cruelty the Act is carried out in accordance with the intention of Parliament. We have endeavoured, and I think with success, to get really good men who understand the work, and take a personal interest in it, to see that the Act is complied with, and, as the hon. Member will see from the Report, surprise visits are frequent. Every care is taken in the issue of licences under the Act.

MR. WEIR said the right hon. Gentleman had given no information with reference to inspectors on omnibuses. The omnibuses were only licensed by Scotland Yard to carry twelve passengers inside, and when an inspector came in he broke the law by making the thirteenth, and it was the duty of the conductor to hand him over to the nearest policeman. The right hon. Gentleman suggested that he might take an action at common law, but who would incur law costs in such a matter? Passengers should be protected from annoyance by the authority issuing the licences, and as the right hon. Gentleman had not given any answer on the point, he would move the reduction of the Vote by £50.

Motion made, and Question proposed, "That a sum, not exceeding £96,357, be granted for the said Service."—(*Mr. Weir.*)

MR. MADDISON (Sheffield, Brightside) said he hoped his hon. friend would not press his motion to a division. It was always a luxury for him to vote against a Minister's salary, but he could not accept that luxury at the price offered by his hon. friend. The request of his hon. friend for peace and quiet in a London omnibus was a supreme joke. It was a very good thing that passengers should be asked for their fares during the journey. What an abominable nuisance it would be if every passenger had to pay his fare at, for instance, the Bank. That was really asking too much, and if his hon. friend pressed the motion to a division he would certainly vote against him. With reference to inspectors, what inconvenience did they cause to the ordinary passenger? He would not vote for the reduction of the right hon. Gentleman's salary because certain hon. Members thought that all the fares should be collected at the end of the journey, and because they objected to omnibus inspectors.

MR. WEIR said he was really surprised at his hon. friend. If he had lived as many years in London as he had he would not have talked as he did. He did not object so much to the conductor asking for the fare, but he objected strongly to the inspectors. His hon. friend might vote against him if he liked, but he would stand on principle, and he would continue to do so as long as he was a Member of the House of Commons.

MR. HAVELOCK WILSON (Middlesbrough) said in his opinion his hon. friend the Member for Ross and Cromarty had reason for complaint, and he could not take the view of his hon. friend the Member for the Brightside Division. He travelled on a line of 'buses from the Monument to Brixton, and no fares were taken until the end of the journey, and no inconvenience was caused.

Question put.

The House divided :—Ayes, 11 ; Noes, 101. (Division List No. 218.)

AYES.

Channing, Francis Allston	Macaleese, Daniel	Sullivan, Donal (Westmeath)
Crilly, Daniel	MacNeill, John Gordon Swift	Tanner, Charles Kearns
Doogan, P. C.	O'Brien, Patrick (Kilkenny)	TELLERS FOR THE AYES—
Flavin, Michael Joseph	Provand, Andrew Dryburgh	Mr. Weir and Mr. Havelock Wilson.
Griffith, Ellis J.	Steadman, William Charles	

NOES.

Allhusen, Augustus Henry E.	Fisher, William Hayes	Mellor, Colonel (Lancashire)
Anson, Sir William Reynell	FitzGerald.SirRobertPenrose-	More,Robt.Jasper(Shropshire)
Atkinson, Rt. Hon. John	Fletcher, Sir Henry	Morgan, Hon. F. (Monm'thsh
Balfour, Rt. Hn. A. J. (Manch'r.	Foster, Harry S. (Suffolk)	Morton,ArthurH A.(Deptford
Balfour,RtHnGeraldW (Leeds	Gedge, Sydney	Moss, Samuel
Banbury, Frederick George	Giles, Charles Tyrrell	Murray, Rt. Hon. A. G. (Bute)
Blundell, Colonel Henry	Godson, Sir Augustus F.	Murray, Charles J. (Coventry)
Boscawen, Arthur Griffith-	Goldsworthy, Major-General	Murray, Col. Wyndham(Bath)
Brigg, John	Gordon, Hon. John Edward	Nicol, Donald Ninian
Brodrick, Rt. Hon. St. John	Goschen, George J. (Sussex)	Peel,Hon.Wm.RobtWellesley
Burns, John	Greville, Hon. Ronald	Phillpotts, Captain Arthur
Burt, Thomas	Gull, Sir Cameron	Purvis, Robert
Butcher, John George	Gurdon, SirWilliam Brampton	Rasch, Major Frederic Carne
Caldwell, James	Hanbury, Rt. Hn.RobertWm.	Ridley, Rt. Hon. Sir M. W.
Carlile, William Walter	Hanson, Sir Reginald	Ritchie, Rt. Hon. C. Thomson
Carson, Rt. Hn. Sir E. H.	Hayne, Rt Hon Charles Seale-	Russell,Gen.FS.(Cheltenham)
Cavendish, V. C. W. (Derbysh)	Horniman, Frederick John	Russell, T. W. (Tyrone)
Chamberlain,J. Austen (Wor.)	Houston, R. P.	Samuel, J. (Stockton-on-Tees)
Charrington, Spencer	Howell, William Tudor	Sandon, Viscount
Coghill, Douglas Harry	Jones, Wm. (Carnarvonshire)	Sidebotham, J. W. (Cheshire)
Collings, Rt. Hon. Jesse	Lawrence SirE.Durning-(Corn	Sinclair, Louis (Romford)
Colomb, Sir J. Charles Ready	Lawson, John Grant (Yorks.)	Smith, Samuel (Flint)
Cook, Fred Lucas (Lambeth)	Lawson, Sir W. (Cumberland)	Smith, Hon.W.F. D. (Strand)
Corbett, A. Cameron (Glasgow	Lea, SirThomas(Londonderry)	Soames, Arthur Wellesley
Curzon, Viscount	Leigh-Bennett, Henry Currie	Stanley,HonArthur(Ormskirk
Dalkeith, Earl of	Llewelyn,SirDillwyn-(Sw'ns'a	Talbot,RtHn.J.G(Oxf'dUniv.
Dalziel, James Henry	Loder, Gerald Walter Erskine	Thornton, Percy M.
Dickinson, Robert Edmond	Long, Rt. Hn. W. (Liverpool)	Welby,Lt.-Col.A.C.E(Taunt'n
Disraeli, Coningsby Ralph	Macartney, W. G. Ellison	Whitmore, Charles Algernon
Douglas, Rt. Hon. A. Akers-	Macdona, John Cumming	Wylie, Alexander
Douglas-Pennant, Hon. E. S.	M'Arthur, Charles (Liverpool)	Wyndham, George
Evans, Samuel T. (Glamorgan	M'Leod, John	Young,Commander(Berks,E.)
Fellowes, Hon. Ailwyn Edwd.	Maddison, Fred.	TELLERS FOR THE NOES—
Finch, George H.	Martin, Richard Biddulph	Sir William Walrond and Mr. Anstruther.
Finlay, Sir Robert Bannatyne	Massey-Mainwaring, Hn. W. F	

Original Question proposed.

MR. WEIR: On a point of order, Mr. Chairman, there is a Member in the Aye lobby who refuses to vote.

*THE CHAIRMAN: If an hon. Member refuses to vote there is no power to make him vote.

MR. WEIR: He remains in the lobby.

DR. TANNER (Cork County, Mid) said that a large amount of money was being taken under the Vote. He observed that the salary of the legal assistant was £1,500, whereas it was only £1,460 last year. He referred to the matter because he desired that expenditure should be cut down———

It being midnight, the Chairman left the Chair to make his Report to the House.

Committee report Progress; to sit again upon Monday next.

House adjourned at two minutes after Twelve of the clock till Monday next.

[APPENDIX

APPENDIX.

HOUSE OF COMMONS. SESSION 1900.

LIST OF RULES, ORDERS, &c., which have been presented during the Session, and are required by Statute to lie for an appointed number of Days upon the Table of the House.

(Continuation of List given in preceding Volume.)

Title of Paper.	Date from which the Period runs.	Period to lie upon the Table.
Factory and Workshop Acts (Particulars of Piece Work Wages) (Pen Making),—Copy of Order of the Secretary of State, dated 12th July 1900, applying with modifications the provisions of section 40 of The Factory and Workshop Act, 1895, to Factories and Workshops in which is carried on the making of Pens [41 Vic., c. 16, s. 65 (3)]	13 July	40 days

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[AUTHORISED EDITION].

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l. Report from Committee of Selection, *July 2*, 187.

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Q. Mr. J. F. X. O'Brien; *A.* Mr. G. W. Balfour, *July 6*, 797.

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Q. Mr. T. D. Sullivan; *A.* Sir M. W. Ridley, *July 9*, 959.

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Q. Mr. Macaleese; *A.* Mr. G. W. Balfour, *July 5*, 643.

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Lord Advocate
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Lord Chancellor
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Lord Chancellor of Ireland
Lord Ashbourne.

Lord Chief Justice of England
Lord Russell of Killowen.

Lord Lieutenant of Ireland
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Lord Privy Seal
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Q. Col. Milward; *A.* Mr. Goschen, *July 9*, 945.

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Q. Mr. H. Heaton; *A.* Mr. Hanbury, *July 9*, 960.

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Q. Mr. H. Heaton; *A.* Mr. Hanbury, *July 13*, 1467.

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Q. Sir J. W. Maclure; *A.* Mr. Hanbury, *July 12*, 1316.

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Q. Mr. T. M. Healy; *A.* Mr. Hanbury, *July 13*, 1469.

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Q. Mr. S. Young; *A.* Mr. Hanbury, *July 12*, 1323.

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Q. Mr. Field; *A.* Mr. Hanbury, *July 2*, 281.

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Q. Capt. Donelan; *A.* Mr. Hanbury, *July 13*, 1471.

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Q. Mr. Steadman; *A.* Mr. Hanbury, *July 13*, 1470.

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Q. Mr. Weir, *July 13*, 1567.

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Q. Sir J. Stirling-Maxwell; *A.* Mr. Hanbury, *July 12*, 1319.

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Q. Mr. Weir; *A.* Mr. Hanbury, *July 6*, 787.

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Qs. Mr. Cohen, Mr Broadhurst; *As*, Mr. Hanbury, *July 5*, 634.

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Qs. Mr. Cohen, Sir H. Fowler, Mr. G. Bowles; *As.* Mr. Hanbury, *July 10*, 1119.

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Q. Mr. Steadman; *A.* Mr. Hanbury, *July 12*, 1315.

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Q. Mr. Maddison; *A.* Mr. Hanbury, *July 12*, 1316.

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Q. Mr. Steadman; *A.* Mr. Hanbury, *July 13*, 1468.
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Q. Capt. Donelan; *A.* Mr. Hanbury, *July 13*, 1471.

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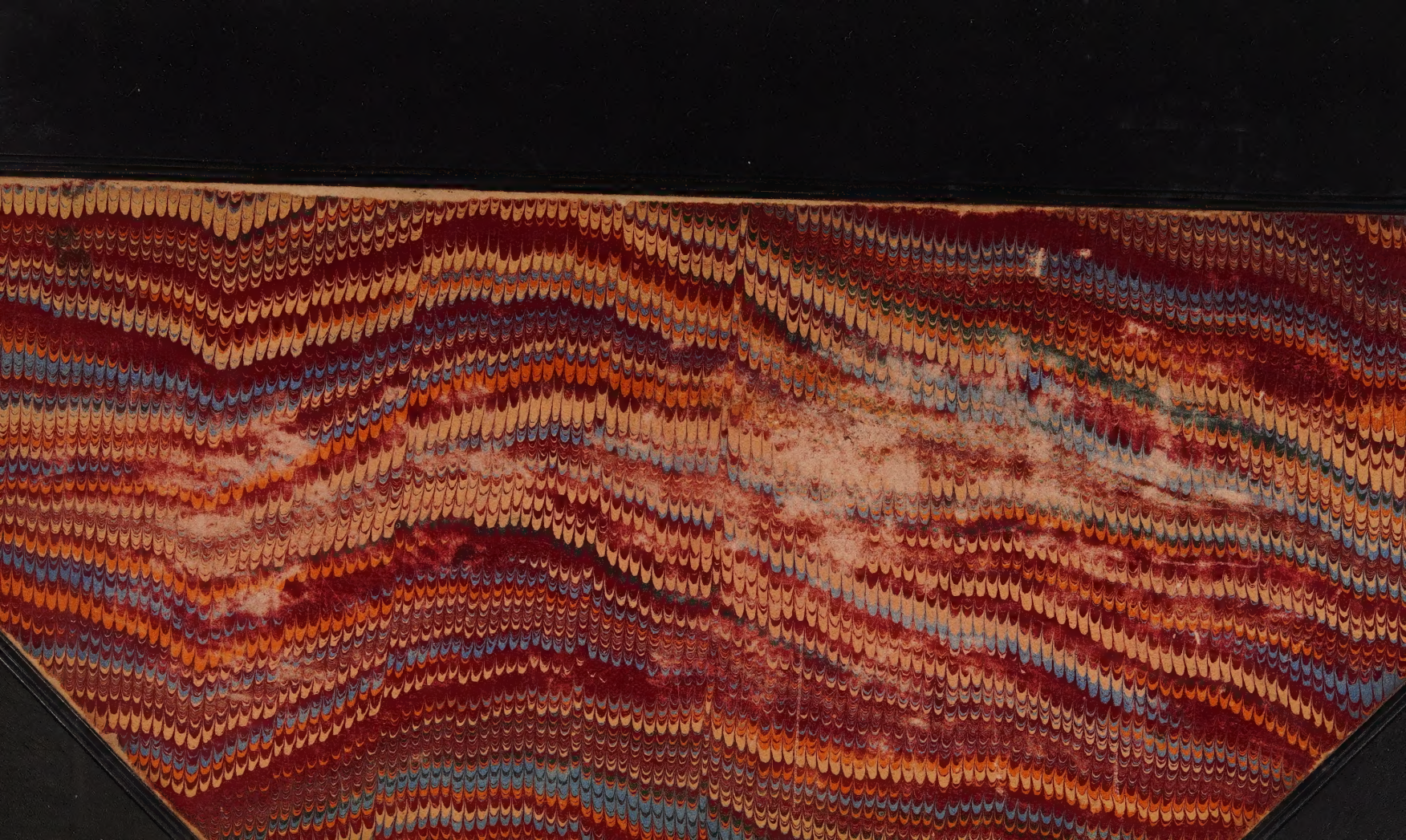
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